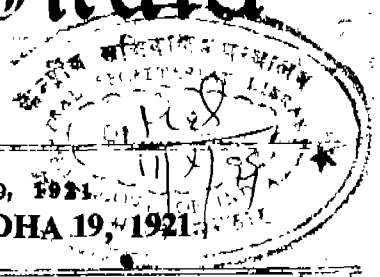




भारत का राजपत्र The Gazette of India

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY



सं. 28]
No. 28]

नई दिल्ली, शनिवार, जुलाई 10, 1999/आषाढ़ 19, 1921
NEW DELHI, SATURDAY, JULY 10, 1999/ASADHA 19, 1921

इस भाग में निम्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

भाग II—खण्ड 3—उप-खण्ड (II) PART II—Section 3—Sub-Section (II)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सार्वजनिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(other than the Ministry of Defence)

कार्गिक, लोक-शिकायत तथा पेंशन मंत्रालय
(कार्मिक और प्रशिक्षण विभाग)

नई दिल्ली, 18 जून, 1999

निर्दिष्ट न्यायालय, अहमदाबाद में अभियोजन चलाने हेतु
विशेष लोक अभियोजक नियुक्त करती है।

[सं. 225/12/99-ए.वी.डी.-II]

हरि सिंह, अवर सचिव

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSION

(Department of Personnel & Training)

New Delhi, the 18th June, 1999

का.आ. 1931:—केन्द्र-सरकार एतद्वारा आतंकवादी और विध्वंसकारी क्रियाकलाप (निवारण) अधिनियम, 1987 (1987 का नियम संख्या 28) की धारा 13 की उपधारा (1) के पन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा दिनांक 28-12-1995 की पिछली अधिसूचना संख्या 225/19/95-ए.वी.डी.-II के अधिक्रमण में सर्वश्री वाई. के. सक्सेना, अपर बिधि सलाहकार केन्द्रीय अन्वेषण ब्यूरो, नई दिल्ली तथा निशिथ पी. मेहता, अधिवक्ता, अहमदाबाद, को दिल्ली विशेष पुलिस स्थापना द्वारा जोंच किया गया तथा चलाया गया नियमित मामला संख्या 1(एस.)/93-एस.आई.यू. II/नई दिल्ली (रौफ वल्ली उल्लाह हत्याकांड) तथा उससे संबंधित या उसके अनुषंगी किसी अन्य मामले में गुजरात राज्य में उपर्युक्त अधिनियम की धारा 9 के अधीन गठित नामो-

S.O. 1931.—In exercise of the powers conferred by the proviso to sub-section (1) of section 13 of the Terrorist and Disruptive Activities (Prevention) Act, 1987 (Act No. 28 of 1987) and in supersession of earlier Notification No. 225/19/95-AVD-II dated 28-12-1995, the Central Government hereby appoints S/Sh. Y. K. Saxena, Additional Legal Advisor, Central Bureau of Investigation, New Delhi and Nishith P. Mehta, Advocate, Ahmedabad as Special Public Prosecutors for conducting prosecution of Regular Case No. 1(S)/93-SIU. II/New Delhi (Rauf Valli Ullah Murder Case) investigated and instituted by Delhi Special Police Establishment and

any other matter connected therewith or incidental thereto in the Designated Court, Ahmedabad constituted under section 9 of the aforesaid Act in the State of Gujarat.

[No. 225/12/99-AVD. II]
HARI SINGH, Under Secy.

प्रदेश

नई दिल्ली, 21 जून, 1999

का.भा. 1932 :—केन्द्रीय सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए अरुणाचल प्रदेश राज्य सरकार, गृह, राजनीति और सतर्कता विभाग की दिनांक 17-02-1999 की अधिसूचना सं. विज. 23/87 द्वारा प्राप्त अरुणाचल प्रदेश राज्य सरकार की सहमति से संलग्न सूची में उल्लिखित अपराधों के अन्वेषण के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और अधिकारिता का विस्तारण सम्पूर्ण अरुणाचल प्रदेश राज्य पर करती है।

(ख) उपर्युक्त अपराधों में से किसी एक अपराध अथवा एक से अधिक अपराध से संबंधित अथवा संसक्त प्रयत्न, दुर्योधन और बहिष्कार तथा वैसे ही संयुक्त रूप से अनुक्रम में किए गए अथवा उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध/अपराधों का अन्वेषण।

[सं. 228/61/94-ए. की. डी. -II]

हरि सिंह, प्रवर सचिव

अपराधों की सूची

(क) भारतीय दंड संहिता 1860 (1860 का अधिनियम सं. 45) की धारा 114, 120-बी, 121, 121-ए, 122, 124-ए, 161, 162, 163, 164, 165, 165-ए, 166, 167, 168, 169, 171-ई, 171-एफ, 182, 186, 188, 189, 193, 196, 197, 198, 199, 200, 201, 204, 211, 218, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 263-ए, 277, 278, 302, 303, 304, 304-ए, 307, 308, 323, 324, 325, 332, 333, 336, 337, 338, 342, 353, 354, 363, 363-ए, 364, 379, 380, 381, 382, 384, 385, 386, 387, 388, 389, 392, 394, 395, 396, 397, 398, 406, 407, 408, 409, 411, 412, 413, 414, 417, 418, 419, 420, 426, 427, 431, 435, 436, 440, 447, 448, 452, 454, 456, 457, 463, 466, 467, 468, 471, 472, 473, 474, 475, 476, 477-ए, 489, 489-ए, 489-बी, 489-सी, 489-ई, 493, 500, 501, 502, 504, 505, 506, 509 के अधीन दंडनीय अपराध।

(ख) केन्द्रीय अधिनियम

- वायुयान अधिनियम, 1934 (1934 का अधिनियम सं. 22) की धारा 6, 10, 11 और 12 तथा इसी अधिनियम के अन्तर्गत बनाए गए नियमों के अधीन दंडनीय अपराध।
- यान-हরণ निवारण अधिनियम, 1982 (1982 का अधिनियम सं. 65) की धारा 4 और 5 के अधीन दंडनीय अपराध।
- पुराधरोष तथा बहुमूल्य कलाकृति अधिनियम, 1972 (1972 का अधिनियम सं. 52) की धारा 25 के अधीन दंडनीय अपराध।
- पुराधरोष (निर्यात नियंत्रण) अधिनियम 1947 (1947 का अधिनियम सं. 31) की धारा 5 के अधीन दंडनीय अपराध-निरसित।
- आयुध अधिनियम, 1959 (1959 का अधिनियम सं. 54) की धारा 25, 26 और 27 के अधीन दंडनीय अपराध।
- परमाणु ऊर्जा अधिनियम, 1962 (1962 का अधिनियम सं. 33) के अधीन दंडनीय अपराध।
- केन्द्रीय उत्पाद शुल्क तथा नमक अधिनियम, 1944 (1944 का अधिनियम सं. 1) की धारा 9 और 17 के अधीन दंडनीय अपराध।
- कम्पनी अधिनियम, 1956 (1956 का अधिनियम सं. 1) की धारा 63, 68, 116, 293-ए, 538, 539, 540, 542, 628, 629 और 630 के अधीन दंडनीय अपराध।
- दंड विधि (संशोधन) अधिनियम, 1961 (1961 का अधिनियम सं. 23) के अधीन दंडनीय अपराध।
- सीमा शुल्क अधिनियम, 1962 (1962 का अधिनियम सं. 52) की धारा 132, 133, 134, 135 और 136 के अधीन दंडनीय अपराध।
- औषधि तथा प्रसाधन सामग्री अधिनियम, 1940 (1940 का अधिनियम सं. 23) की धारा 13, 27 और 28 के अधीन दंडनीय अपराध।
- आवश्यक वस्तु अधिनियम, 1955 (1955 का अधिनियम सं. 10) की धारा 7 और 8 के अधीन दंडनीय अपराध।
- विस्फोटक अधिनियम, 1884 (1884 का अधिनियम सं. 4) की धारा 9-ई के अधीन दंडनीय अपराध।
- विस्फोटक पदार्थ अधिनियम, 1908 (1908 का अधिनियम सं. 6) की धारा 3, 4, 5 और 6 के अधीन दंडनीय अपराध।

15. विद्युत अधिनियम, 1910 (1910 का अधिनियम सं. 9) के अधीन दंडनीय अपराध।
16. विदेशी अभिवाय (विनियमन) अधिनियम, 1976 (1976 का अधिनियम सं. 49) की धारा 22, 23 और 25 के अधीन दंडनीय अपराध।
17. विदेशियों के विषयक अधिनियम, 1946 (1946 का अधिनियम सं. 31) की धारा 14 के अधीन दंडनीय अपराध।
18. विदेशी मुद्रा विनियमन अधिनियम, 1973 (1973 का अधिनियम सं. 46) के अधीन दंडनीय अपराध।
19. साधारण बीमा कानून (संश्लेषण) अधिनियम, 1972 (1972 का अधिनियम सं. 57) की धारा 25 के अधीन दंडनीय अपराध।
20. बाल-कार अधिनियम, 1958 (1958 का अधिनियम सं. 18) की धारा 35 के अधीन दंडनीय अपराध।
21. स्वर्ण नियंत्रण अधिनियम, 1968 (1968 का अधिनियम सं. 45) की धारा 35, 86, 87, 88, 89, 90 और 96 के अधीन दंडनीय अपराध।
22. आयकर अधिनियम, 1961 (1961 का अधिनियम सं. 43) की धारा 27 और 28 के अधीन दंडनीय अपराध।
23. आयात एवं निर्यात (नियंत्रण) अधिनियम, 1947 (1947 का अधिनियम सं. 18) के अधीन दंडनीय अपराध।
24. बीमा अधिनियम, 1938 (1938 का अधिनियम सं. 4) की धारा 104 और 105 के अधीन दंडनीय अपराध।
25. उद्योग (विकास तथा विनियमन) अधिनियम, 1951 (1951 का अधिनियम सं. 65) की धारा 24(i), (iii) के अधीन दंडनीय अपराध।
26. मोटर वाहन अधिनियम, 1939 (1939 का अधिनियम सं. 4) की धारा 112 के अधीन दंडनीय अपराध (अब 1988 का अधिनियम)।
27. स्वापक शीर्षक तथा मन:प्रभावी पदार्थ अधिनियम, 1985 (1985 का अधिनियम सं. 61) की धारा 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 और 32 के अधीन दंडनीय अपराध तथा अद्यतन संशोधित अधिनियम।
28. शासकीय गुप्त बात अधिनियम, 1923 (1923 का अधिनियम सं. 19) के अधीन दंडनीय अपराध।
29. पारपत्र अधिनियम, 1920 (1920 का अधिनियम सं. 24) तथा पारपत्र नियमावली, 1950 के नियम सं. 6 के अधीन दंडनीय अपराध।
30. पारपत्र (भारत में प्रवेश) नियमावली, 1950 संपठित पारपत्र (भारत में प्रवेश) अधिनियम 1920 (1920 का अधिनियम सं. 34) के अधीन दंडनीय अपराध।
31. पासपोर्ट अधिनियम, 1967 (1967 का अधिनियम सं. 15) की धारा 12 के अधीन दंडनीय अपराध।
32. प्रच्छाचार निवारण अधिनियम, 1947 (1947 का अधिनियम सं. 2) के अधीन दंडनीय अपराध।
33. प्रच्छाचार निवारण अधिनियम, 1988 (1988 का अधिनियम सं. 49) के अधीन दंडनीय अपराध।
34. भारतीय शाकधर अधिनियम सं. 1898 (1898 का अधिनियम सं. 6) की धारा 51, 52, 55 और 56 के अधीन दंडनीय अपराध।
35. खाद्य अपशिष्ट निवारण अधिनियम, 1954 (1954 का अधिनियम सं. 37) की धारा 16 के अधीन दंडनीय अपराध।
36. लोक सम्पत्ति नुकसान निवारण अधिनियम, 1984 (1984 का अधिनियम सं. 3) की धारा 3 और 4 के अधीन दंडनीय अपराध।
37. स्वापक शीर्षक तथा मन:प्रभावी पदार्थों का अवैध व्यापार निवारण अधिनियम, 1988 (1988 का अधिनियम सं. 46) के अधीन दंडनीय अपराध।
38. भारत में रेल अधिनियम, 1890 (1890 का अधिनियम सं. 9) की धारा 120, 126, 126-ए, 127 और 128 के अधीन दंडनीय अपराध।
39. रेल-साफ़री (विधि-विरुद्ध कानून) अधिनियम, 1955 (1955 का अधिनियम सं. 51) के अधीन दंडनीय अपराध।
40. लोक प्रतिनिधित्व अधिनियम, 1950 (1950 का अधिनियम सं. 43) की धारा 31 और 32 के अधीन दंडनीय अपराध।
41. लोक प्रतिनिधित्व अधिनियम, 1951 (1951 का अधिनियम सं. 43) के अधीन दंडनीय अपराध।
42. विदेशियों का रजिस्ट्रीकरण अधिनियम, 1939 (1939 का अधिनियम सं. 16) की धारा 5 के अधीन दंडनीय अपराध।
43. सिविल विमानन सुरक्षा विधि विधेय कार्य द्रव्य अधिनियम, 1982 (1982 का अधिनियम सं. 66) के अधीन दंडनीय अपराध।
44. आर्थिक संस्थानों (सुरक्षा निवारण) अधिनियम, 1988 (1988 का अधिनियम सं. 41) के अधीन दंडनीय अपराध।
45. भारतीय तार अधिनियम, 1885 (1885 का अधिनियम सं. 13) के अधीन दंडनीय अपराध।
46. तार-तंतु संबंधी तार (विधि-विरुद्ध कानून) अधिनियम, 1950 (1950 का अधिनियम सं. 74) के अधीन दंडनीय अपराध।

47. आतंकवादी तथा विध्वंसकारी क्रियाकलाप (निवारण) अधिनियम, 1985 (1985 का अधिनियम सं. 31) तथा उसके अन्तर्गत बनाए गए नियमों के अधीन दंडनीय अपराध।
48. आतंकवादी तथा विध्वंसकारी क्रियाकलाप (निवारण) अधिनियम, 1987 (1987 का अधिनियम सं. 28) तथा उसके अन्तर्गत बनाए गए नियमों के अधीन दंडनीय अपराध।
49. विधि विरुद्ध क्रियाकलाप (निवारण) अधिनियम, 1967 (1967 का अधिनियम सं. 37) के अधीन दंडनीय अपराध।
50. भारतीय बेतार तार यांत्रिकी अधिनियम, 1933 (1933 का अधिनियम सं. 17) के अधीन दंडनीय अपराध।
51. धन-कर अधिनियम, 1957 (1957 का अधिनियम सं. 27) की धारा 36 के अधीन दंडनीय अपराध।
52. राष्ट्र गौरव अपमान निवारण अधिनियम, 1971 के अधीन दंडनीय अपराध।

ORDER

New Delhi, the 21st June, 1999

S.O. 1932.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of the State Government of Arunachal Pradesh vide Home, Political and Vigilance Department, Notification No. VIG-23/87 dated 17-2-1999, hereby extends the powers and jurisdiction of the members of Delhi Special Police Establishment to the whole of the State of Arunachal Pradesh for the investigation of offences as mentioned in the enclosed list.

(b) Attempt, abetment and conspiracy in relation to or in connection with one or more of the said offences and any other offence or offences committed in the course of the same transaction arising out of the same facts.

[No. 228/61/94-AVD. II]

HARI SINGH, Under Secy.

LIST OF OFFICERS

- (a) Offences Punishable under Section 114, 120-B, 121, 121-A, 122, 124-A, 161, 162, 163, 164, 165, 165-A, 166, 167, 168, 169, 171-E, 171-F, 182, 186, 188, 189, 193, 196, 197, 198, 199, 200, 201, 204, 211, 218, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 263-A, 277, 278, 302, 303, 304, 304-A, 307, 308, 323, 324, 325, 332, 333, 336, 337, 338, 342, 353, 354, 363, 363-A, 364, 379, 380, 381, 382, 384, 385, 386, 387, 388, 389, 392, 394, 395, 396, 397, 398, 406, 407, 408, 409, 411, 412, 413, 414, 417, 418, 419, 420, 426, 427, 431, 435, 436, 440, 447, 448, 452, 454, 455, 457, 465, 466, 467, 468,

471, 472, 473, 474, 475, 476, 477-A, 489, 489-A, 489-B, 489-C, 489-D, 489-E, 495, 500, 501, 502, 504, 505, 506, 509, of the Indian Penal Code, 1860(XLV of 1860).

CENTRAL ACTS

1. Offences punishable under Section 6, 10, 11 and 12 of the Aircraft Act, 1934 (Act No. 22 of 1934) and rules made under the said Act.
2. Offences punishable under Section 4 & 5 of the Anti-Hijacking Act, 1982 (Act No. 65 of 1982).
3. Offences punishable under Section 25 of the Antiquities and Art Treasurer Act, 1972 (Act No. 52 of 1972).
4. Offences punishable under section 5 of Antiquities (Export Control) Act, 1947 (Act No. 31 of 1947) Repealed.
5. Offences punishable under sections 25, 26 and 27 of the Arms Act, 1959 (Act No. 54 of 1959).
6. Offences punishable under the Atomic Energy Act, 1962 (Act No. 33 of 1962).
7. Offences punishable under sections 9 and 17 of the Central Excises and Salt Act, 1944 (Act No. 1 of 1944).
8. Offences punishable under sections 63, 68, 116, 293A, 538, 539, 540, 542, 628, 629 and 630 of the Companies Act, 1956 (Act No. 1 of 1956).
9. Offences punishable under Criminal Law (Amendment) Act, 1961 (Act No. 23 of 1961).
10. Offences punishable under Sections, 132, 133, 134, 135 and 136 of the Customs Act, 1962 (Act No. 52 of 1962).
11. Offences punishable under sections 13, 27 and 28 of the Drugs and Cosmetics Act, 1940 (Act No. 23 of 1940).
12. Offences punishable under sections 7 and 8 of the Essential Commodities Act, 1955 (Act No. 10 of 1955).
13. Offences punishable under section 9-E of the Explosive Act, 1884 (Act No. 4 of 1884).
14. Offences punishable under sections 3, 4, 5 and 6 of the Explosive Substances Act 1908 (Act No. 6 of 1908).
15. Offences punishable under the Electricity Act, 1910 (Act No. 9 of 1910).
16. Offences punishable under sections 22, 23 and 25 of the Foreign Contribution (Regulation) Act, 1976 (Act No. 49 of 1976).
17. Offences punishable under section 14 of the Foreigners Act, 1946 (Act No. 31 of 1946).

18. Offences punishable under the Foreign Exchange Regulation Act, 1973 (Act No. 46 of 1973).
19. Offences punishable under section 25 of the General Insurance Business (Nationalisation) Act 1922 (Act No. 57 of 1922).
20. Offences punishable under section 35 of the Gift Tax Act, 1958 (Act No. 18 of 1958).
21. Offences punishable under Sections 35, 86, 87, 88, 89, 90 and 96 of the Gold (Control) Act, 1968 (Act No. 45 of 1968).
22. Offences punishable under sections 277 and 278 of the Income Tax Act, 1961 (Act No. 43 of 1961).
23. Offences punishable under the Import and Export (Control) Act, 1947 (Act No. 18 of 1947).
24. Offences punishable under sections 104 and 105 of the Insurance Act, 1938 (Act No. 4 of 1938).
25. Offences punishable under sections 24(I) (iii) of the Industries (Development and Regulation) Act 1951 (Act No. 65 of 1951).
26. Offences punishable under section 112 of the Motor Vehicle Act, (Act No. 4 of 1939) (Now 1988 Act).
27. Offences punishable under sections 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 and 32 of the Narcotics Drugs and Psychotropic Substances Act, 1985 (Act No. 61 of 1985) as amended upto date.
28. Offences punishable under the Official Secrets Act, 1923 (Act No. 19 of 1923).
29. Offences punishable under the Passport Act, 1920 (Act No. 24 of 1920) and rules 6 of Passport Rules 1950.
30. Offences punishable under the Passport (entry into India) Rules 1950 r/w Passport (entry into India) Act 1920 (Act No. 34 of 1920).
31. Offences punishable under section 12 of the Passport Act, 1967 (Act No. 15 of 1967).
32. Offences punishable under the Prevention of Corruption Act, 1947 (Act No. 2 of 1947).
33. Offences punishable under the Prevention of Corruption Act, 1988 (Act No. 49 of 1988).
34. Offences punishable under Sections 51, 52, 55 and 56 of the Indian Post Office Act, 1898 (Act No. 6 of 1898).
35. Offences punishable under Section 16 of Prevention of Food Adulteration Act, 1954 (Act No. 37 of 1954).
36. Offences punishable. sections 3 and 4 of the Prevention of Damage to Public Property Act, 1984 (Act No. 3 of 1984).
37. Offences punishable under the Prevention of Illicit Traffic Narcotic Drugs and Psychotropic Substance Act, 1988 (Act No. 46 of 1988).
38. Offences punishable under sections 120, 126, 126A, 127 and 128 of the Indian Railways Act, 1890 (Act No. 1990).
39. Offences punishable under the Railways Stores (Unlawful Possession) Act 1955 (Act No. 51 of 1955).
40. Offences punishable under sections 31 and 32 of the Representation of the People Act, 1950 (Act No. 43 of 1950).
41. Offences punishable under the Representation of the People Act, 1951 (Act No. 43 of 1951).
42. Offences punishable under section 5 of the Registration of Foreigners Act, 1939 (Act No. 16 of 1939).
43. Offences punishable under the Supersession of Unlawful Act against Safety of Civil Aviation Act, 1982 (Act No. 66 of 1982).
44. Offences punishable under the Religious Institutions (Prevention of Misuse) Act, 1988 (Act No. 41 of 1988).
45. Offences punishable under the Telegraph Act, 1885 (Act No. 13 of 1885).
46. Offences punishable under the Telegraph Wires (Unlawful Possession) Act, 1950 (Act No. 74 of 1950).
47. Offences punishable under the Terrorist and Disruptive Activities (Prevention) Act, 1985 (Act No. 31 of 1985) and Rules made thereunder.
48. Offences punishable under the Terrorist and Disruptive Activities (Prevention) Act, 1987 (Act No. 28 of 1987) and Rules made thereunder.
49. Offences punishable under the Unlawful Activities (Prevention) Act, 1967 (Act No. 37 of 1967).
50. Offences punishable under the Indian Wireless and Telegraphy Act, 1933 (Act No. 17 of 1933).
51. Offences punishable under section 36 of the Wealth Tax Act, 1957 (Act No. 27 of 1957).
52. Offences punishable under the Prevention of Insult to National Honours Act, 1971.

नई दिल्ली, 22 जून, 1999

का.आ. 1933—केन्द्रीय सरकार एतद्द्वारा दंड प्रक्रिया संहिता, 1973 (1974 का अधिनियम सं. 2) की धारा 24 की उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय अन्वेषण ब्यूरो के निम्नलिखित अभियोजन अधिकारियों को विचारण, न्यायालयों में दिल्ली विशेष पुलिस स्थापना द्वारा संस्थित मामलों तथा किसी राज्य अथवा संघ राज्य क्षेत्र जिस पर पूर्वोक्त धारा के उपबंध लागू होते हैं, में विधि द्वारा स्थापित पुनरीक्षण अथवा अपील न्यायालयों में इन मामलों से उद्भूत अपीलों, पुनरीक्षणों अथवा अन्य विषयों का संचालन करने के लिये विशेष लोक अभियोजक के रूप में नियुक्त करती है:—

सर्वश्री

1. बी.पी. सिंह
2. आर. के. सैनी
3. ए.वाई. एस. प्रसादा राव
4. राजेन्द्र सिंह
5. कामल गिरि
6. मोहम्मद शकील
7. राम करण
8. एस. देवेन्द्रन
9. सत्सामूल इस्लाम
10. प्रभात कुमार

[सं. 225/2/99-ए.बी.डी.-I(i)]

हरि सिंह, अवसर सचिव

New Delhi, the 22nd June, 1999

S.O. 1933.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), the Central Government hereby appoints the following prosecuting officers of the Central Bureau of Investigation as Special Public Prosecutors for the conduct of cases instituted by Delhi Special Police Establishment in the courts and appeals/revisions or other matters arising out of these cases in revisional or appellate courts established by Law in any State or Union Territory to which the provision of the aforesaid section apply.

S/Shri

- (1) B. P. Singh
- (2) R. K. Saini
- (3) A. Y. S. Prasada Rao
- (4) Rajender Singh

- (5) Komal Giri
- (6) Mohammed Shakeel
- (7) Ram Karan
- (8) S. Devendran
- (9) Sameemul Islam
- (10) Prabhat Kumar

[No. 225/2/99-AVD. II(i)]

HARI SINGH, Under Secy.

नई दिल्ली, 22 जून, 1999

का.आ. 1934—केन्द्रीय सरकार एतद्द्वारा दंड प्रक्रिया संहिता, 1973 (1974 का अधिनियम सं. 2) की धारा 25 की उपधारा (1ए) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय अन्वेषण ब्यूरो के निम्नलिखित अभियोजन अधिकारियों को किसी राज्य अथवा संघ राज्य क्षेत्र जिस पर पूर्वोक्त धारा के उपबंध लागू होते हैं, में मजिस्ट्रेटी न्यायालयों में दिल्ली विशेष पुलिस स्थापना द्वारा संस्थित मामलों के संचालन के लिये सहायक लोक अभियोजक के रूप में नियुक्त करती है:—

सर्वश्री

1. एस. कृष्ण कुमार
2. एस.एस. शिंदे
3. डी. एस. चावला
4. कपिल मुंडा

[सं. 225/2/99-ए.बी.डी.-II(ii)]

हरि सिंह, अवसर सचिव

New Delhi, the 22nd June, 1999

S.O. 1934.—In exercise of the powers conferred by sub-section (1A) of section 25 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), the Central Government hereby appoints the following prosecuting officers of the Central Bureau of Investigation as Assistant Public Prosecutors for the conduct of cases instituted by Delhi Special Police Establishment in the Courts of Magistrates in any State or Union Territory to which the provisions of the aforesaid section apply.

S/Shri

- (1) S. Krishna Kumar
- (2) S S. Shinde
- (3) D. S. Chawla
- (4) Kapil Munda

[No. 225/2/99-AVD. II(ii)]

HARI SINGH, Under Secy.

वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 22 मार्च, 1999

(आयकर)

का.भा. 1935:—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा "बम्बई हॉकी एसोसिएशन 'डी' रोड, चर्च गेट, बम्बई" को 1991-92 से 1992-93 तक के कर-निर्धारण वर्षों के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त खण्ड के प्रयोजनार्थ अधिसूचित करती है, अर्थात्:—

- (i) कर-निर्धारिती उसकी आय का इस्तेमाल अथवा उसकी आय का इस्तेमाल करने के लिए उसका संचयन इस प्रकार के संचयन हेतु उक्त खण्ड (23) द्वारा यथा-संशोधित धारा 11 की उप-धारा (2) तथा (3) के उपबंधों के अनुरूप पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (ii) कर निर्धारिती ऊपर-उल्लिखित कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक वृंग अथवा तरीकों से भिन्न तरीकों से उसकी निधि (जवर-जवाहिरात, फर्नीचर अथवा किसी अन्य वस्तु, जिसे उपर्युक्त खण्ड (23) के तीसरे परन्तुक के अधीन बोर्ड द्वारा अधिसूचित किया जाए, के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा।
- (iii) कर निर्धारिती अपने सदस्यों को किसी भी तरीके से अपनी आय के किसी भाग का संवितरण अपने से संबंध किसी एसीसिएशन अथवा संस्था को अनुदान के अलावा नहीं करेगा; और
- (iv) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जोकि कारोबार से प्राप्त लाभ तथा अभिलाभ हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएँ नहीं रखी जाती हों।

[अधिसूचना सं. 10832/का.सं. 196/10/97-आ.वि. I]

समर भद्र, प्रबंध सचिव

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 22nd March, 1999

(INCOME-TAX)

S.O. 1935.—In exercise of the powers conferred by clause (23) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies the "Bombay Hockey Association, 'D' Road, Church Gate, Bombay" for the purpose of the said clause for assessment years 1991-92 and 1992-93 subject to the following conditions namely:—

- (i) the assessee will apply its income, or accumulate it for application, in consonance with the provisions of sub-section (2) and (3) of Section 11 as modified by the said clause (23) for such accumulation wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture or any other article as may be notified by the Board under the third provision to the aforesaid clause (23) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) the assessee will not distribute any part of its income in any manner to its members except as grants to any association or institution affiliated to it; and
- (iv) this notification will not apply in relation to any income, being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10832/F. No. 196/10/97-ITA-I]

SAMAR BHADRA, Under Secy.

नई दिल्ली, 30 मार्च, 1999

(आयकर)

का.भा. 1936:—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा "गुजरात क्रिकेट एसोसिएशन, ग्रहमबाबाय" को 1999-2000 से 2000-2001 तक के कर-निर्धारण वर्षों के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त खण्ड के प्रयोजनार्थ अधिसूचित करती है, अर्थात्:—

- (i) कर-निर्धारिती उसकी आय का इस्तेमाल अथवा उसकी आय का इस्तेमाल करने के लिए उसका संचयन इस प्रकार के संचयन हेतु उक्त खण्ड (23) द्वारा यथा-संशोधित धारा 11 की उपधारा (2) तथा (3) के उपबंधों के अनुरूप पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है,
- (ii) कर निर्धारिती ऊपर-उल्लिखित कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक वृंग अथवा तरीकों से भिन्न तरीकों से उसकी निधि (जवर-जवाहिरात, फर्नीचर अथवा किसी अन्य

वस्तु, जिसे उपर्युक्त खण्ड (23) के तहत परन्तुक के अधीन बोर्ड द्वारा अधिसूचित किया जाए, के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा,

- (iii) कर निर्धारिती अपने सदस्यों को किसी भी तरीके से अपनी आय के किसी भाग का संचितरण अपने से संबद्ध किसी एसोसिएशन अथवा संस्था को अनुदान के अलावा नहीं करेगा ; और
- (iv) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जोकि कारोबार से प्राप्त लाभ तथा अभिलाभ हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों ।

[अधिसूचना सं० 10812/फा.सं. 196/1/99-आ.क.नि. I]

समर भद्र, अवर सचिव

New Delhi, the 30th March, 1999

(INCOME-TAX)

S.O. 1936.—In exercise of the powers conferred by clause (23) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies the "Gujarat Cricket Association, Ahmedabad" for the purpose of the said clause for assessment years 1999-2000 to 2001-2002 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate it for application, in consonance with the provisions of sub-section (2) and (3) of Section 11 as modified by the said clause (23) for such accumulation wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture or any other article as may be notified by the Board under the third provision to the aforesaid clause (23) for any period during the previous years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) the assessee will not distribute any part of its income in any manner to its members except as grants to any association or institution affiliated to it; and
- (iv) this notification will not apply in relation to any income, being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10842/P. No. 196/1/99-TTA-I]

SAMAR BHADRA, Under Secy.

नई दिल्ली, 17 मई, 1999

(आयकर)

का०आ० 1937.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा "इण्डियन फुटबॉल टूर्नामेंट सोसाइटी, नई दिल्ली" को 1994-95 से 1996-97

तक के कर-निर्धारण वर्षों के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त खण्ड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (i) कर-निर्धारिती उसकी आय का इस्तेमाल अथवा उसकी आय का इस्तेमाल करने के लिए उसका संचयन इस प्रकार के संचयन हेतु उक्त खण्ड (23) द्वारा यथा-संशोधित धारा 11 की उप-धारा (2) तथा (3) के उपबंधों के अनुरूप पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है ;
- (ii) कर निर्धारिती ऊपर-उल्लिखित कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से उसकी निधि (ज्वेलर-जवाहिरात, फर्नीचर अथवा किसी अन्य वस्तु, जिसे उपर्युक्त खण्ड (23) के तहत परन्तुक के अधीन बोर्ड द्वारा अधिसूचित किया जाए, के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा ;
- (iii) कर निर्धारिती अपने सदस्यों को किसी भी तरीके से अपनी आय के किसी भाग का संचितरण अपने से संबद्ध किसी एसोसिएशन अथवा संस्था को अनुदान के अलावा नहीं करेगा, और
- (iv) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जोकि कारोबार से प्राप्त लाभ तथा अभिलाभ हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों ।

[अधिसूचना सं० 10929/फा.सं. 196/8/97-आ.नि. I]

समर भद्र, अवर सचिव

New Delhi, the 17th May, 1999

(INCOME-TAX)

S.O. 1937.—In exercise of the powers conferred by clause (23) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies the "Durand Football Tournament Society, New Delhi" for the purpose of the said clause for assessment years 1994-95 to 1996-97 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate it for application, in consonance with the provisions of sub-section (2) and (3) of section 11 as modified by the said clause (23) for such accumulation wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture or any other article as may be notified by the Board under the third provision to the aforesaid clause (23) for any period during the previous year(s) relevant to the

assessment year(s) mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of section 11;

- (iii) the assessee will not distribute any part of its income in any manner to its members except as grants to any association or institution affiliated to it; and
- (iv) this notification will not apply in relation to any income, being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10929/F. No. 196/8/97-ITA-I]

SAMAR BHADRA, Under Secy.

आदेश

नई दिल्ली, 11 जून, 1999

स्टाम्प

कां.मां. 1938.—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उप-धारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा आन्ध्र प्रदेश राज्य इलेक्ट्रीसिटी बोर्ड, हैदराबाद को मात्र चार करोड़ और पचास लाख रुपए का समेकित स्टाम्प शुल्क देना करने की अनुमति प्रदान करती है, जो उक्त बोर्ड द्वारा जारी किए गए मात्र छह सौ करोड़ रुपए समग्र मूल्य के प्रत्येक एक-एक लाख रुपए के डिबेन्चरों के स्वरूप वाले 15% असुरक्षित, विमोक्ष्य, अपरिवर्तनीय, विद्युत बन्धपत्रों (श्रृंखला II/98) पर स्टाम्प शुल्क के कारण प्रभावी है।

[सं. 28/99-स्टां-फां.सं. 33/37/99-बि.क.]

अभय त्रिपाठी, उप-सचिव

ORDER

New Delhi, the 11th June, 1999

STAMPS

S.O. 1938.—In exercise of the powers conferred by clause (b) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899) the Central Govt. hereby permits Andhra Pradesh State Electricity Board, Hyderabad to pay consolidated stamp duty of rupees four crores and fifty lakhs only chargeable on account of stamp duty on 15% Unsecured Redeemable Non-Convertible Vidyut Bonds (Series-II/98) in the nature of Debentures of rupees one lakh each aggregating to rupees six hundred crores only issued by the said Board.

[No. 28/99-STAMP-F. No. 33/37/99-ST]

ABHAY TRIPATHI, Dy. Secy.

(नारकोटिक्स नियंत्रण ब्यूरो)

नई दिल्ली, 11 जून, 1999

का.मां. 1939.—आपराधिक प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 24 की उपधारा (2) तथा (8) तथा स्वापक औषध-द्रव्य एवं मनः प्रभावी पदार्थ अधिनियम, 1985 (1985 का 61) की धारा 36ग 1909 GI/99—2.

द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा वाराणसी न्यायालय में स्वापक औषध एवं मनः प्रभावी पदार्थ अधिनियम, 1985 के अधीन मामलों को संचालित करने के लिये श्री आर. एस. सिंह, अधिवक्ता की विशेष लोक अभियोजक के रूप में नियुक्ति को 13-4-1999 से और आगे तीन वर्षों के लिये निम्न-लिखित शर्तों पर और आगे बढ़ाती है, अर्थात् :—

1. देय शुल्क :

1. शिकायत का प्रारूप तैयार करने के लिये फीस 150 रु. प्रति मामला
2. प्रभावी सुनवाई हेतु फीस 350/- रु. प्रति मामला एक से अधिक मामले हेतु 500/- रु. प्रतिदिन
3. अप्रभावपूर्ण सुनवाई के लिये फीस 200/रु. प्रति मामला
4. लिखित राय —वही—
5. सम्मेलन राय प्रति मामला अधिक से अधिक तीन सम्मेलनों पर 150/- रु. प्रति सम्मेलन।

उनकी नियुक्ति पर पहले ही से लागू अन्य नियम व शर्तें जारी रहेंगी।

[फा.सं. IV/7/95-ना.नि. (बि.)]

एस. कुमार, उप विधि सलाहकार

(Narcotics Control Division)

New Delhi, the 11th June, 1999

S.O. 1939.—In exercise of the powers conferred by sub-sections (2) and (8) of section 24 of the Code of Criminal Procedure, 1973 (2 of 1974), and section 36C of the Narcotics Drugs and Psychotropic Substances Act, 1985 (61 of 1985), the Central Government hereby extends the appointment of Shri R. S. Singh, Advocate as Special Public Prosecutor for conducting cases arising out of Narcotic Drugs and Psychotropic Substances Act, 1985 in the courts at Varanasi for a further period of three years with effect from 13-4-1999 on the following terms and conditions, namely :—

1. Fees Payable :

- (1) Fees for drafting complaint Rs. 150 per case.
- (2) Fees for effective hearing Rs. 350 per case. ~~अथवा~~ Rs. 500 per day for more than the case.
- (3) Fees for non-effective hearing Rs. 200 per case.
- (4) Written Opinion Rs. 200 per case.
- (5) Conference Charges Rs. 150 per conference ~~अथवा~~ subject to a maximum of three conference per case.

2. Other terms and conditions which were applicable to his appointment earlier, will continue to apply.

[F. No. IV/7/95-NCB(Legal)]
S. KUMAR, Dy. Legal Adviser

(सेन्ट्रल इकॉनामिक इन्टेलीजेंस ब्यूरो)

(कोफेपोसा यूनिट)

आदेश

नई दिल्ली, 30 जून, 1999

का.घा. 1940.—अतः संयुक्त सचिव, भारत सरकार जिन्हें विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अन्तर्गत विशेष रूप में शक्ति प्रदान की गई है, ने उक्त उपधारा के अधीन आदेश फाइल सं. 673/18/99-सी यू एस.-8, दिनांक 29-4-99 जारी किया और यह निर्देश दिया कि श्री पी. मेथुरमण

पता:—सुपुल श्री पेरिया करुप्पन

नं. 45/4, पोंबेथी, तालुक आयुदयारकाल

जि. पुडुकोट्टी, तमिलनाडु को निरुद्ध कर लिया जाये और केन्द्रीय कारागार, तिरुचिरापल्ली में अभिरक्षा में रखा जाये जिससे कि उन्हें भविष्य में चीजों की तस्करी करने से रोका जा सके।

2. अतः केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या स्वयं को छिपा रहा है जिससे कि यह आदेश निष्पादित नहीं किया जा सकता।

3. अतः अब उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्ति का प्रयोग करते

पूणे सीमा शुल्क आयुक्त का कार्यालय

पूणे, 21 जून, 1999

संख्या 05/99-नान टैरिफ कस्टम्स

का.जा. 1941.—सीमा शुल्क अधिनियम 1962 (1962 का 52) की धारा 8(क) के अधीन मुझे प्रदत्त अधिकारों को कार्यान्वित करते हुए तथा दिनांक 28 अप्रैल, 1999 की अधिसूचना संख्या 4/99-नान टैरिफ कस्टम्स द्वारा संशोधित की गयी अधिसूचना संख्या 3/99-नान टैरिफ कस्टम्स को अधिष्ठापित करते हुए, मैं सी.के. कलानी, आयुक्त पूणे सीमा शुल्क, एतद्वारा इस अधिसूचना में संलग्न अनुसूची के स्तंभ क्रमांक 2 में विनिर्दिष्ट क्षेत्र/परिवार को मैसर्स दाभोल पावर कंपनी, मुंबई द्वारा आयात यंत्र सामग्री तथा उपकरणों को उतारने के स्थान के रूप में घोषित कर रहा हूँ। साथ-साथ मैं इसी अधिसूचना के अनुसूची की स्तंभ संख्या 3 में विनिर्दिष्ट क्षेत्र को, "सीमा शुल्क क्षेत्र" (कस्टम्स एरिया) घोषित कर रहा हूँ।

परन्तु उपर्युक्त इस सुविधा के लिये, सीमा शुल्क अधिनियम, 1962 का संबंधित व्यवस्थाओं तथा इन्हीं के अनुसरण में भारत सरकार द्वारा समय-समय पर जारी किये गये सभी अनुदेशों/पत्रों का अनुपालन किया जाना आवश्यक है।

अनुसूची

पोर्ट का नाम	उतारने तथा चढ़ाने का स्थान	सीमा शुल्क क्षेत्र मर्यादा
1	2	3
दाभोल पोर्ट	मैसर्स दाभोल पावर कंपनी, भंजनवेल, तहसील गुहागर, जिला रत्नागिरी की एक प्राइवेट जेट्टी	कुल क्षेत्र 20666 वर्ग मीटर्स इस क्षेत्र की भौगोलिक चतुः सीमाएं अर्थात् चार कोनों के विवरण
	अक्षांश	देशान्तर रेखांश
	17 33' 50.30" उत्तर	73 09' 53.50" पूर्व
	17 33' 54.80" उत्तर	73 09' 58.60" पूर्व
	17 33' 54.30" उत्तर	73 10' 00.50" पूर्व
	17 33' 47.80" उत्तर	73 09' 56.53" पूर्व

[फाइल संख्या VIII (कस्टम्स) 40-37/टी.सी./99]

सी.के. कलानी, आयुक्त

हुए केन्द्रीय सरकार एतद्वारा पूर्वोक्त व्यक्ति को यह निर्देश देती है कि वह शासकीय राजपत्र में इस आदेश के प्रकाशित होने के 7 दिन के भीतर पुलिस आयुक्त, तिरुचिरापल्ली के सम्मुख उपस्थित हो।

[फा.सं. 673/18/99-सी यू एस.-VIII]

एम.एस.नेगी, अव्वर सचिव

(Central Economic Intelligence Bureau)

(COFEPOSA Unit)

ORDER

New Delhi, the 30th June, 1999

S.O. 1940.—Whereas the Joint Secretary to the Government of India specially empowered under sub-section (1) of Section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued Order F. No. 673/18/99-Cus.-VIII dated 29-04-99 under the said sub-section directing that Shri P. Sethuraman S/o Shri Periya Karuppan, No. 45/4, Ponbathi, Ayudayakoil Taluk, Pudukottai District, Tamil Nadu be detained and kept in custody in the Central Prison, Tiruchirappalli with a view to preventing him from smuggling goods in future.

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or has been concealing himself so that the order cannot be executed.

3. Now, therefore, in exercise of the power conferred by Clause (b) of Sub-Section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Tiruchirappalli within seven days of the publication of this order in the official Gazette.

[F. No. 673/18/99-Cus.VIII]

M. S. NEGI, Under Secy.

OFFICE OF THE COMMISSIONER OF CUSTOMS: PUNE

Pune, the 21st June, 1999

No. 5/99-NT-CUSTOMS

S.O.1941.—In exercise of the powers conferred upon me under Section 8(a) of the Customs Act, 1962 (52 of 1962) and in supersession of Notification No. 3/96-NT Customs as amended by Notification No. 4/99-NT-Customs dated 28th April, 99, I, C.K. KALONI, Commissioner of Customs, Pune hereby declare the area specified in column No. 2 of the schedule to this notification to be the place for unloading of equipment and machinery to be imported by M/s. Dabhol Power Co., Mumbai. I also declare the area as specified in column No. 3 of the schedule to this notification to be the Customs Area.

All above are subject to strict observance of relevant provisions of the Customs Act, 1962 and the instructions issued by Government of India from time to time in pursuance thereof.

SCHEDULE

NAME OF THE PORT	PLACE OF LOADING & UNLOADING	CUSTOMS AREA LIMIT
(1)	(2)	(3)
Dobhol Port	One private jetty of M/s. Dobhol Power Company, Anjanvel, Tal. Guhagar, Dist. Ratnagiri	Total Area of 20666 sq. mtrs. Geographical coordinates of four corners. LATITUDE LONGITUDE 17/33/50.30"N 73/09/53.50"E 17/33/54.80"N 73/09/58.60"E 17/33/54.30"N 73/10/00.50"E 17/33/47.80"N 73/09/56.53"E

[F.No. VIII(CUS)40-37/TC/99]

C.K. KALONI, Commissioner

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 31 मई, 1999

का.प्र.० 1942.—केन्द्रीय सरकार, राजभाषा (सघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप नियम (4) के अनुसरण में, संलग्न अनुबंध में निम्नलिखित बैंकों के सूचीबद्ध कार्यालयों/शाखाओं को, जिनके 80% से अधिक कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है :—

क्रम सं०	बैंक का नाम	कार्यालयों/शाखाओं की संख्या
1.	यूनियन बैंक ऑफ इंडिया	27
2.	विजया बैंक	47
3.	भारतीय स्टेट बैंक	01
4.	सेंट्रल बैंक ऑफ इंडिया	20
5.	बैंक ऑफ महाराष्ट्र	12
6.	स्टेट बैंक ऑफ मैसूर	04
7.	कारपोरेशन बैंक	08
8.	स्टेट बैंक ऑफ बीकानेर एण्ड जयपुर	02
9.	भारतीय लघु उद्योग विकास बैंक	01
10.	पंजाब नेशनल बैंक	212
		334

[फा.सं० 11016/2/99—हिन्दी]

रमेशभाबू अणियेरी, उप-निदेशक (राजभाषा)

अनुबंध

यूनियन बैंक ऑफ इंडिया

1. क्षेत्रीय कार्यालय,
जी०एन०बी० रोड, चांदमारी,
गुवाहाटी-781 003, आसाम
2. चांदमारी शाखा,
जी०एन०बी० रोड, चांदमारी,
प्लाई ग्राउंड के पास, गुवाहाटी,
आसाम-781 003
3. अनोगिरी शाखा,
मु०पो० अनोगिरी, बाया तुरा,
जिला पश्चिम गारो हिल्स,
मेघालय-794 002.
4. अगरतला शाखा,
4, हरीगंगा बसक रोड,
पो० बा० नं० 26, अगरतला,
जिला पश्चिम त्रिपुरा,
त्रिपुरा-799 001.
5. बालापाड़ा शाखा,
ग्राम बालापाड़ा, पो० गलीबांधा,
बाया बन्गांव, जिला बार्पेटा,
आसाम-781375.

6. धुबरी शाखा,
बौक बाजार,
जिला धुबरी,
आसाम-783 301.
7. गहिया शाखा,
मु० पो० गहिया,
बेल्लापाल्ला रोड,
बाया बेल्ला,
जिला बारपेटा,
आसाम-781 909.
8. गोघूलिगांव शाखा,
मु० पो० जालाह्वाट,
जिला बारपेटा,
आसाम-7801 327.
9. होलागांव शाखा,
मु० होलागांव,
8वां मील,
पो० कुण्डो (साविया),
जिला तिनसुकिया,
आसाम-786 158.
10. धोलाबाजार शाखा,
मु० पो० धोलाबाजार,
बाया पो० सादखोवाघाट (धोला),
जिला तिनसुकिया,
आसाम-786 154.
11. जागी भक्तगांव शाखा,
मु० पो० जागी भक्तगांव,
जिला मोरीगांव,
आसाम-782 411.
12. जोरहाट शाखा,
ए० टी० रोड,
पो० जोरहाट,
बौकबाजार,
जिला जोरहाट,
आसाम-786001.
13. मुर्कोटिक शाखा,
मु० पो० मुर्कोटिक,
बाया कुमदुमा,
जिला तिनसुकिया,
आसाम-780151.
14. काटलीचेरा शाखा,
मु० पो० काटलीचेरा,
जिला हैलाकांडी,
आसाम-88161.
15. खारपेटिया शाखा,
महावीर रोड,
मु० पो० खारपेटिया,
जिला दारंग,
आसाम-784115.
16. मैदामगांव शाखा,
तहबिलदार बिल्डिंग,
बशिष्ट रोड,
बेलतला,
गुवाहाटी,
आसाम-781028.
17. नौगांव शाखा,
ओ०एन०बी० रोड,
बजाज मार्केट,
पहली मंजिल,
ठाकापट्टी,
जिला नौगांव,
आसाम-782001.
18. पाठशाला शाखा,
कालेज रोड,
पो० पाठशाला,
जिला खारपेटा,
आसाम-781325.
19. शान्तिपुर शाखा,
पो० शान्तिपुर,
बाया चापाखोआ,
जिला तिनसुकिया,
आसाम-786157.
20. सिलचर शाखा,
प्रेमलता,
पो० सिलचर,
जिला कछार,
आसाम-788004.
21. तिनसुकिया शाखा,
ए० टी० रोड,
सीडिंग बाजार,
पो० तिनसुकिया,
जिला तिनसुकिया,
आसाम-786125.
22. कलेक्ट्रेट कैम्पस शाखा,
सीधी,
पो० न० जिला सीधी (म०प्र०),
पिन कोड 486 661.
23. क्राइस्ट ज्योति सतना शाखा,
बस स्टैंड के पास,
रीवा रोड,
सतना-485 001.

24. सेन्ट जोसेफ शाखा,
कामायनी अपार्टमेंट,
ई-7, अरेरा अपार्टमेंट,
भोपाल.
25. सुभानपुरा शाखा,
वर्धमान रेसीकॉम प्लाजा,
हाईटेम्पान लाइन,
सुभानपुरा मेन रोड,
बड़ौदा—390 007.
26. सान्ताक्रूज ओवरसीज शाखा,
86, आदर्श एस० बी० रोड,
सान्ताक्रूज (पश्चिम),
मुम्बई—400 054.
27. श्रीनगर गढ़वाल शाखा,
बीर चन्द्र सिंह गढ़वाली मार्ग,
जनपद पीछी गढ़वाल,
उत्तर प्रदेश.
7. विजया बैंक,
विजया कमशियल काम्पलेक्स,
43, लाजपत नगर,
जयमार्ग,
अलवर—301001.
8. विजया बैंक,
4, अहिंसा काम्पलेक्स,
अम्बेडकर सर्कल,
पाली,
मारवार—306401.
9. विजया बैंक,
प्रभागीय लेखा कार्यालय,
1 तल, मेफेयर बिल्डिंग,
हजरतगंज,
लखनऊ—226 001.
10. विजया बैंक,
अल्पे पड़ौल शाखा,
मंगलूर—575 007.

विजया बैंक

1. विजया बैंक,
10203, जमना हाऊस,
पद्म सिंह मार्ग,
करोलबाग, नई दिल्ली .
2. विजया बैंक,
बी-25, न्यू कृष्णा पार्क,
पो० आ० तिलक नगर,
नई दिल्ली.
3. विजया बैंक,
सं० 1, 3732 (प्रथम तल),
लोनी रोड,
टिम्बर मार्केट,
शहादरा,
नई दिल्ली—110032.
4. विजया बैंक,
“विजया”,
17, बाराखम्बा रोड,
नई दिल्ली—110001.
5. विजया बैंक,
एम-53, शापिंग सेन्टर,
ग्रेटर कैलाश,
नई दिल्ली—110048.
6. विजया बैंक,
प्रभागीय लेखा कार्यालय,
पी-6/90, 1 तल,
कनाट सर्कस,
नई दिल्ली—110001.
11. विजया बैंक,
अतिकारीबेट्टू शाखा,
मंगलूर तालुक,
दक्षिण कन्नड़ जिला,
अतिकारीबेट्टू—574 171.
12. विजया बैंक,
बड़गमिजर,
पोस्ट मिजर,
कार्कला तालुक,
दक्षिण कन्नड़ जिला.
13. विजया बैंक,
पोस्ट आफिस के पास,
मेन रोड,
वैदूर,
दक्षिण कन्नड़ जिला.
14. विजया बैंक,
दामसवट्टा,
अईकला,
मंगलूर तालुक,
दक्षिण कन्नड़ जिला,
15. विजया बैंक,
बी०एम०के० कमशियल काम्पलेक्स,
फलमीर,
मंगलूर—575 002.

16. विजया बैंक,
मेन रोड,
1087, सागर निधि काम्पलेक्स,
पोस्ट कुलार्ड,
होसबेट्ट—574 176.
17. विजया बैंक,
विजया सन्निधि बिल्डिंग,
मंगलूर-उडुपि रोड,
कारनाड,
मुल्की,
दक्षिण कन्नड़ जिला.
18. विजया बैंक,
श्री दुर्गापरमेश्वरी मन्दिर बिल्डिंग,
कटील,
मंगलूर तालुक,
दक्षिण कन्नड़ जिला.
19. विजया बैंक,
पो० बा० नं० 10,
श्री कल्यायनी बिल्डिंग,
मार्केट के सामने,
मेन रोड,
किन्नगोली,
मंगलूर तालुक,
दक्षिण कन्नड़ जिला.
20. विजया बैंक,
कोणार्जे,
पो० आ० मंगलगंगोत्री,
मंगलूर तालुक,
दक्षिण कन्नड़ जिला.
21. विजया बैंक,
कान्तिमहल,
कुप्पेपडु,
मंगलूर तालुक,
दक्षिण कन्नड़ जिला.
22. विजया बैंक,
विजयाराज कमर्शियल काम्पलेक्स,
न्यू बस स्टेण्ड,
मूडबिदरी,
कार्कला तालुक,
दक्षिण कन्नड़ जिला.
23. विजया बैंक,
मार्केट याड एनेक्स बिल्डिंग,
पणम्बूर,
न्यू मंगलूर पोर्ट ट्रस्ट,
मंगलूर ।
24. विजया बैंक,
पो० बा० नं० 3,
विजया महल,
मंगलूर-उडुपि रोड,
सूरतवल,
मंगलूर तालुक,
दक्षिण कन्नड़ जिला.
25. विजया बैंक,
श्री रामप्रसाद बिल्डिंग,
फरी रोड,
तलपाड़ी,
मंगलूर तालुक,
दक्षिण कन्नड़ जिला.
26. विजया बैंक,
शंकर काम्पलेक्स,
वामंजूर,
मंगलूर तालुक.
27. विजया बैंक,
“साहप्रसाद”,
बस स्टेण्ड के पास,
नीरभार्गा,
पो० आ० पेदमले—575005.
28. विजया बैंक,
विकर्नकट्टा,
पो० आ० बुलशेखर,
मंगलूर—575005.
29. विजया बैंक,
गणेश निलया,
फेरी रोड,
न्यू चिन्ना टाकीस के पास,
अलके,
मंगलूर—575003.
30. विजया बैंक,
विजया श्री महल,
23-11-970/1, मंगला देवी टेम्पल रोड,
होयगेबजार,
मंगलूर—575001.
31. विजया बैंक,
30/11, 1 तल,
एम०टी०ए०पी०एम० सोसाइटी बिल्डिंग,
नेशनल हार्डवे,
कुलूर,
मंगलूर—575013.
32. विजया बैंक,
लघु उद्योग शाखा,
केनरा स्माल इण्डस्ट्रीज,
एसोसियेशन बिल्डिंग,

- इण्डस्ट्रियल एरिया,
बैकमपाडी,
मंगलूर—575 011.
33. विजया बैंक,
करेंसी चेस्ट,
एल० एच० एच० रोड,
मंगलूर—575003.
34. विजया बैंक,
प्रभागीय लेखा कार्यालय,
कैथोलिक क्लब बिल्डिंग,
हमपनकट्टा,
मंगलूर—575 003.
35. विजया बैंक,
स्टाफ प्रशिक्षण केन्द्र,
विजया सन्निधि मुल्की
दक्षिण कन्नडा जिला.
36. विजया बैंक,
क्षेत्रीय निरीक्षणालय,
विजया टावर,
एल एच एच रोड,
मंगलूर—575 003.
37. विजया बैंक,
मूडा बिल्डिंग,
कूलूर फेरी रोड,
अशोक नगर,
मंगलूर—575 006.
38. विजया बैंक,
सबाशिव शेट्टी मेमोरियल काम्पलेक्स,
बेंबेल,
कावूर पोस्ट,
मंगलूर—575 008.
39. विजया बैंक,
सिटी मंगलूर,
कैथोलिक क्लब बिल्डिंग,
मेन रोड,
हंपनकट्टा,
मंगलूर—575 001.
40. विजया बैंक,
24/20/1610, नेमिकट्टा,
जे०पु,
मंगलूर—575 001.
41. विजया बैंक,
लोवो बिल्डिंग,
मंगलूरकार्कला रोड,
कैकवा,
किन्निकवला पोस्ट,
दक्षिण कन्नडा जिला.
42. विजया बैंक,
फाउंडर्स ब्रान्च,
विजया टावर,
एल एच एच रोड,
मंगलूर—575 003.
43. विजया बैंक,
हाई लैण्ड काम्पलेक्स,
तोक्कोट्टू,
पो० पेरमन्नूर,
उल्लाल,
दक्षिण कन्नडा जिला.
44. विजया बैंक,
जे एम रोड,
बब महल,
बन्दर,
मंगलूर—575 001.
45. विजया बैंक,
बिजै चचं क्रॉस रोड,
बिजै,
मंगलूर—575 004.
46. विजया बैंक,
आंचलिक कार्यालय,
विजया टावर,
एल एच एच रोड,
मंगलूर—575 003.
47. विजया बैंक,
निड्डोड़ी कल्लामुंदकूट पोस्ट,
काकेल तालुक,
दक्षिण कन्नडा जिला
- भारतीय स्टेट बैंक**
1. भारतीय स्टेट बैंक,
वैयक्तिक बैंकिंग शाखा,
11, संसद मार्ग,
नई दिल्ली.
- सेन्ट्रल बैंक ऑफ इंडिया**
1. सेन्ट्रल बैंक ऑफ इंडिया,
देवा रोड शाखा,
देवा रोड इण्डस्ट्रियल एरिया,
मटियारी चौराहा,
चिमहट,
जिला लखनऊ—227 105.
2. सेन्ट्रल बैंक ऑफ इंडिया,
गोसाईगंज शाखा,
फैजाबाद,
बहराइन रोड,
फैजाबाद—224 151.

3. सेन्ट्रल बैंक ऑफ इंडिया,
सभी शाखा,
महाराजपुर के सामने,
241, जी टी रोड,
कानपुर—208 001.
4. सेन्ट्रल बैंक ऑफ इंडिया,
क्षेत्रीय कार्यालय,
पहली मंजिल,
पालिका बाजार,
देवरिया—274 001.
5. सेन्ट्रल बैंक ऑफ इंडिया,
कृषि उत्पादन मंडी समिति,
वाराणसी,
नक्कीघाट,
वाराणसी—221 002.
6. सेन्ट्रल बैंक ऑफ इंडिया,
नैनी शाखा,
नैनी इण्डस्ट्रियल एरिया,
397 बी, मेवालाल की बंगरा,
इलाहाबाद—211 008.
7. सेन्ट्रल बैंक ऑफ इंडिया,
नागपुरा शाखा,
टेकदेवरी,
तहसील रसड़ा,
बलिया—221 719.
8. सेन्ट्रल बैंक ऑफ इंडिया,
गढ़मलपुर शाखा,
गढ़मलपुर,
बलिया—221 709.
9. सेन्ट्रल बैंक ऑफ इंडिया,
कैथोली शाखा,
ब्लाक बलुआबारी,
कैथोली,
जिला बलिया—227 213.
10. सेन्ट्रल बैंक ऑफ इंडिया,
प्रतापगढ़ शाखा,
राजापाल पेट्रोल पम्प के सामने,
कचहरी रोड,
प्रतापगढ़ (उ०प्र०).
11. सेन्ट्रल बैंक ऑफ इंडिया,
गोरखपुर शाखा,
बैंक रोड,
मुहल्ला पुरदिलपुर,
गोरखपुर—227 301.
12. सेन्ट्रल बैंक ऑफ इंडिया,
पैडलेगंज शाखा,
सी 188/63, कासड़ा रोड,
गोरखपुर युनिवर्सिटी,
गोरखपुर—273 009.
13. सेन्ट्रल बैंक ऑफ इंडिया,
गोंडा शाखा,
वारगांव,
गोंडा—271 001.
14. सेन्ट्रल बैंक ऑफ इंडिया,
क्षेत्रीय कार्यालय,
नागपुर,
बिक्टोरिया बिल्डिंग,
कामठी रोड,
नागपुर—440 001.
15. सेन्ट्रल बैंक ऑफ इंडिया,
बूटीबोरी शाखा,
घोड क्र० 26,
पानी की टंकी के पास,
एम० आई० बी० सी०;
बूटीबोरी—441 108,
जिला नागपुर.
16. सेन्ट्रल बैंक ऑफ इंडिया,
नागपुर शाखा,
ओरिएन्टल बिल्डिंग,
स्टेशन रोड,
नागपुर—440 001.
17. सेन्ट्रल बैंक ऑफ इंडिया,
पेहरवडा शाखा,
ग्राम काउडियार,
पोस्ट पेहरवडा,
ब्लाक तिरुवनंतपुरम,
जिला तिरुवनंतपुरम.
18. सेन्ट्रल बैंक ऑफ इंडिया,
कुन्नपुला शाखा,
ग्राम तिरुमला,
पोस्ट प्रारमड़ा,
ब्लाक तिरुवनंतपुरम कार्पो०
जिला तिरुवनंतपुरम.
19. सेन्ट्रल बैंक ऑफ इंडिया,
पत्तनापुरम शाखा,
ग्राम व पोस्ट पत्तनापुरम,
ब्लाक पत्तनापुरम,
जिला कोल्लम.
20. सेन्ट्रल बैंक ऑफ इंडिया,
सौराष्ट्र सीमेन्ट एण्ड केमिकल लि० शाखा,
राणाबाव—360 550,
जिला जूनागढ़,
गुजरात.

बैंक ऑफ महाराष्ट्र

1. क्षेत्रीय कार्यालय,
बैंक ऑफ महाराष्ट्र,
4-3-379, दूसरी मंजिल,
बैंक स्ट्रीट,
मुलतान बाजार,
हैदराबाद—500 001.
2. क्षेत्रीय कार्यालय
बैंक ऑफ महाराष्ट्र,
दत्त प्रसाद भवन,
प्रथम तल,
महात्मा गांधी मार्ग,
पणजी,
गोवा—403 001.
3. पणजी शाखा,
बैंक ऑफ महाराष्ट्र,
सुकरकर भवन,
एम० जी० मार्ग,
पणजी,
गोवा—403 001.
4. मापुसा शाखा,
बैंक ऑफ महाराष्ट्र,
कांस्कर भवन,
भारतीय स्टेट बैंक के पास,
कांस्कर कार्नेर,
मापुसा,
ता० बांजेंज,
गोवा—403 507.
5. वास्को-द-गामा शाखा,
बैंक ऑफ महाराष्ट्र,
जनता भवन,
स्वातन्त्र पथ,
वास्को-द-गामा,
गोवा—403 802.
6. फोंडा शाखा,
बैंक ऑफ महाराष्ट्र,
डा० उसगावकर बिल्डिंग,
आयेशा थिएटर के पास,
फोंडा,
गोवा—403 401.
7. क्षेत्रीय कार्यालय,
बैंक ऑफ महाराष्ट्र,
रायपुर क्षेत्र,
चावला कॉम्प्लेक्स,
प्रथम मंजिल,
साई नगर (देवेन्द्र नगर),
रायपुर—492 001 (मध्य प्रदेश).
8. महाप्रबन्धक का कार्यालय,
बैंक ऑफ महाराष्ट्र,
एपीजे हाउस,
बी० बी० गांधी मार्ग,
फोर्ट,
मुम्बई—400 023.
9. श्री कृष्ण नगर शाखा,
बैंक ऑफ महाराष्ट्र,
श्रीकृष्ण शिक्षण प्रसारक मण्डल का बोगुले हाई स्कूल,
बोरीवली,
मुम्बई—400 066.
10. हरिनगर शाखा,
बैंक ऑफ महाराष्ट्र,
कैलास अपार्टमेंट,
ईस्कॉन मन्दिर के पास,
हरिनगर वाटर टैंक के सामने,
गोली रसना रास्ता,
बड़ोदरा—390 007 (गुजरात).
11. शिर्डी शाखा,
बैंक ऑफ महाराष्ट्र,
म० न० 171,
होटल साई संजीवन,
साईनाथ अस्पताल के पीछे,
शिर्डी,
जि० अहमदनगर—423 109.
12. इन्दिरानगर शाखा,
बैंक ऑफ महाराष्ट्र,
माउली बंगला,
राजसारथी सोसायटी के पास,
पाथर्डी फाटा,
इन्दिरानगर,
नासिक—422 009.
स्टेट बैंक ऑफ मैसूर
1. स्टेट बैंक ऑफ मैसूर,
इन्दौर शाखा,
नं० 578, एम० जी० रोड,
इन्दौर—452 001.
2. स्टेट बैंक ऑफ मैसूर,
भोपाल शाखा,
नं० 252, सी० एण्ड डी०,
अशोक गार्डन,
भोपाल—462 023.
3. स्टेट बैंक ऑफ मैसूर,
अहमदाबाद शाखा,
पी० बी० सं० 46,
अहमदाबाद—380 001.

4. स्टेट बैंक ऑफ मैसूर,
जयपुर शाखा,
दूसरी मंजिल,
उषा प्लाजा,
एम. जी. रोड,
जयपुर—302 001.

कार्पोरेशन बैंक

1. कार्पोरेशन बैंक सं. 64,
वस्त्र भवन,
4था मेन,
18वां क्रॉस,
मल्लेश्वरम,
बैंगलूर—560 055,
कर्नाटक ।

2. कार्पोरेशन बैंक सं. 6,
गांधी बाजार,
बसवनगुड़ी,
बैंगलूर—560 004,
कर्नाटक ।

3. कार्पोरेशन बैंक,
14/15, के० कामराज रोड (केवली रोड),
डा. पे. सं. 4242,
कन्टोनमेन्ट,
बैंगलूर—560 042,
कर्नाटक ।

4. कार्पोरेशन बैंक,
अरुणा काम्पलेक्स,
सं. 66/1 और 66/2,
प्रथम तल,
जयवामराजेन्द्र रोड,
बैंगलूर—560 002,
कर्नाटक ।

5. कार्पोरेशन बैंक,
सं. 6, 5वां क्रॉस,
अप्पारेड्डी काम्पलेक्स,
मैसूर रोड,
बैंगलूर—560 026,
कर्नाटक ।

6. कार्पोरेशन बैंक,
डा. पे. सं. 2738,
सं. 26, के. एच. रोड,
शान्तिनगर,
बैंगलूर—560 027,
कर्नाटक ।

7. कार्पोरेशन बैंक,
प्रथम तल,
टी. बी. काम्पलेक्स,
118, किलारी रोड (बी. बी. के. अश्वंगार रोड क्रॉस),
डा. पे. सं. 7575,
बैंगलूर—560 053,
कर्नाटक ।

8. कार्पोरेशन बैंक,
241, बध्नेरधट्टा रोड,
अरेकेरे गेट,
बैंगलूर—560 076,
कर्नाटक ।

स्टेट बैंक ऑफ बीकानेर एण्ड जयपुर

1. स्टेट बैंक ऑफ बीकानेर एण्ड जयपुर,
आजाद चौक शाखा,
आजाद शोक,
बांसवाड़ा,
जिला : बांसवाड़ा (राजस्थान) ।

2. स्टेट बैंक ऑफ बीकानेर एण्ड जयपुर,
कृ. उ. म. शाखा,
अनन्तपुरा,
जिला : कोटा (राजस्थान) ।
भारतीय लघु उद्योग विकास बैंक (मिडबी)

1. भारतीय लघु उद्योग विकास बैंक,
एस. सी. ओ. 145-46,
पहली व दूसरी मंजिल,
सेक्टर-17 सी,
पोस्ट बैंग सं. 92,
चण्डीगढ़—160 107.

क्षेत्रीय कार्यालय, होशियारपुर के अन्तर्गत आने वाली शाखाएं/
कार्यालय

1. पंजाब नेशनल बैंक,
अड्डा : चोलांग,
तहसील : दसुआ,
जिला : होशियारपुर,
पंजाब ।

2. पंजाब नेशनल बैंक,
ग्रह्णा कोट फतुही,
तहसील : गढ़शंकर,
जिला : होशियारपुर,
पंजाब ।
3. पंजाब नेशनल बैंक
अजनीहा,
तहसील : गढ़शंकर,
जिला : होशियारपुर,
पंजाब ।
4. पंजाब नेशनल बैंक,
वाडिया कला,
तहसील : गढ़शंकर,
जिला : होशियारपुर,
पंजाब ।
5. पंजाब नेशनल बैंक,
बस्सी दोलत खां,
जिला : होशियारपुर,
पंजाब ।
6. पंजाब नेशनल बैंक,
बस्सी कला,
जिला : होशियारपुर,
पंजाब ।
7. पंजाब नेशनल बैंक,
भाम,
तहसील : गढ़शंकर,
जिला : होशियारपुर,
पंजाब ।
8. पंजाब नेशनल बैंक,
भंगाला,
तहसील : दसुआ,
जिला : होशियारपुर,
पंजाब ।
9. पंजाब नेशनल बैंक,
भुंगा,
तहसील : दसुआ,
जिला : होशियारपुर,
पंजाब ।
10. पंजाब नेशनल बैंक,
बुधाबड़,
तहसील : दसुआ,
जिला : होशियारपुर,
पंजाब ।
11. पंजाब नेशनल बैंक,
चोटाला,
तहसील : दसुआ,
जिला : होशियारपुर,
पंजाब ।
12. पंजाब नेशनल बैंक,
जी. टी. रोड,
दसुआ,
तहसील : दसुआ,
जिला : होशियारपुर,
पंजाब ।
13. पंजाब नेशनल बैंक,
ओल्ड ग्रेन मॉकिट,
दसुआ,
तहसील : दसुआ,
जिला : होशियारपुर,
पंजाब ।
14. पंजाब नेशनल बैंक,
गढ़बीवाला,
तहसील : दसुआ,
जिला : होशियारपुर,
पंजाब ।
15. पंजाब नेशनल बैंक,
गढ़शंकर,
तहसील : गढ़शंकर,
जिला : होशियारपुर,
पंजाब ।
16. पंजाब नेशनल बैंक,
मेन बाजार,
गढ़शंकर,
तहसील : गढ़शंकर,
जिला : होशियारपुर,
पंजाब ।
17. पंजाब नेशनल बैंक,
गोंदपुर (भुंगा),
तहसील : दसुआ,
जिला : होशियारपुर,
पंजाब ।
18. पंजाब नेशनल बैंक,
गोंदपुर (महिलपुल),
तहसील : गढ़शंकर,
जिला : होशियारपुर,
पंजाब ।
19. पंजाब नेशनल बैंक,
हरीयाना,
तहसील : दसुआ,
जिला : होशियारपुर,
पंजाब ।

- | | |
|---|--|
| <p>20. पंजाब नेशनल बैंक,
हाजीपुर,
तहसील : दसुआ,
जिला : होशियारपुर,
पंजाब ।</p> <p>21. पंजाब नेशनल बैंक,
बहादुरपुरा चौक,
होशियारपुर,
पंजाब ।</p> <p>22. पंजाब नेशनल बैंक,
बास्मिकी चौक,
होशियारपुर,
पंजाब ।</p> <p>23. पंजाब नेशनल बैंक,
जालन्धर रोड,
होशियारपुर,
पंजाब ।</p> <p>24. पंजाब नेशनल बैंक,
न्यू सक्की मंडी,
होशियारपुर,
पंजाब ।</p> <p>25. पंजाब नेशनल बैंक,
मण्डी एरिया,
होशियारपुर,
जिला : होशियारपुर,
पंजाब ।</p> <p>26. पंजाब नेशनल बैंक,
रेलवे रोड,
होशियारपुर,
जिला : होशियारपुर,
पंजाब ।</p> <p>27. पंजाब नेशनल बैंक,
जैजों दोआबा,
तहसील : गढ़शंकर,
जिला : होशियारपुर,
पंजाब ।</p> <p>28. पंजाब नेशनल बैंक,
जनौड़ी,
तहसील : दसुआ,
जिला : होशियारपुर,
पंजाब ।</p> <p>29. पंजाब नेशनल बैंक,
कुसाही देवी,
तहसील : दसुआ,
जिला : होशियारपुर,</p> | <p>30. पंजाब नेशनल बैंक,
कन्धाला जवां,
तहसील : दसुआ,
जिला : होशियारपुर,
पंजाब ।</p> <p>31. पंजाब नेशनल बैंक,
खुड्डा,
तहसील : दसुआ,
जिला : होशियारपुर,
पंजाब ।</p> <p>32. पंजाब नेशनल बैंक,
फगवाड़ा रोड,
माहिलपुर,
तहसील : गढ़शंकर,
जिला : होशियारपुर, पंजाब ।</p> <p>33. पंजाब नेशनल बैंक,
माहिलपुर,
तहसील : गढ़शंकर,
जिला : होशियारपुर, पंजाब ।</p> <p>34. पंजाब नेशनल बैंक,
मनहौता,
तहसील : दसुआ,
जिला : होशियारपुर, पंजाब ।</p> <p>35. पंजाब नेशनल बैंक,
मेगोवाल दोआबा,
तहसील : गढ़शंकर,
जिला : होशियारपुर, पंजाब ।</p> <p>36. पंजाब नेशनल बैंक,
मेहलावासी,
जिला : होशियारपुर, पंजाब ।</p> <p>37. पंजाब नेशनल बैंक,
मियानी खास,
तहसील : दसुआ,
जिला : होशियारपुर, पंजाब ।</p> <p>38. पंजाब नेशनल बैंक,
मुकेरियां,
तहसील : दसुआ,
जिला : होशियारपुर, पंजाब ।</p> <p>39. पंजाब नेशनल बैंक,
मेन बाजार,
मुकेरियां,
तहसील : दसुआ,
जिला : होशियारपुर, पंजाब ।</p> |
|---|--|

40. पंजाब नेशनल बैंक,
मोरावाली,
तहसील : गढ़शंकर,
जिला : होशियारपुर, पंजाब ।
41. पंजाब नेशनल बैंक,
नन्दाचोर,
तहसील : होशियारपुर,
जिला : होशियारपुर, पंजाब ।
42. पंजाब नेशनल बैंक,
पट्टी सूर सिंह,
तहसील : गढ़शंकर,
जिला : होशियारपुर, पंजाब ।
43. पंजाब नेशनल बैंक,
पालवी,
तहसील : गढ़शंकर,
जिला : होशियारपुर, पंजाब ।
44. पंजाब नेशनल बैंक,
सहरी,
तहसील : होशियारपुर,
जिला : होशियारपुर, पंजाब ।
45. पंजाब नेशनल बैंक,
मेअला खुर्द,
तहसील : गढ़शंकर,
जिला : होशियारपुर, पंजाब ।
46. पंजाब नेशनल बैंक,
शामचौरासी,
तहसील : होशियारपुर,
जिला : होशियारपुर, पंजाब ।
47. पंजाब नेशनल बैंक,
तलवंडी सेला,
तहसील : दसुआ,
जिला : होशियारपुर, पंजाब ।
48. पंजाब नेशनल बैंक,
तलवाड़ा,
तहसील : दसुआ,
जिला : होशियारपुर, पंजाब ।
49. पंजाब नेशनल बैंक,
टाँडा ऊडमड,
तहसील : दसुआ,
जिला : होशियारपुर, पंजाब ।
50. पंजाब नेशनल बैंक,
टर्कयाना,
तहसील : दसुआ,
जिला : होशियारपुर, पंजाब ।
51. पंजाब नेशनल बैंक,
ऊंची बस्ती,
तहसील : दसुआ,
जिला : होशियारपुर, पंजाब ।
52. पंजाब नेशनल बैंक,
क्षेत्रा ० मुजफ्फरनगर,
मुजफ्फरनगर, उत्तर प्रदेश ।
53. पंजाब नेशनल बैंक,
शांका ० अणोक नगर,
जिला : गुना, इंदौर ।
54. पंजाब नेशनल बैंक,
शांका ० बालोन,
जिला : देवास,
इंदौर ।
55. पंजाब नेशनल बैंक,
बरूफाटक,
जिला : निमाग बैस्ट,
इंदौर ।
56. पंजाब नेशनल बैंक,
शांका ० देवास,
जिला : देवास,
इंदौर ।
57. पंजाब नेशनल बैंक,
शांका ० धामनोद,
जिला : रतलाम,
इंदौर ।
58. पंजाब नेशनल बैंक,
शांका ० गुना,
जिला : गुना,
इंदौर ।
59. पंजाब नेशनल बैंक,
जिला : समन्वयक कार्यालय,
गुना, इंदौर ।
60. पंजाब नेशनल बैंक,
शांका ० एम ० पी ० एच ० बी ०,
जिला : इंदौर, इंदौर ।
61. पंजाब नेशनल बैंक,
शांका ० इंदिरा काम्पलेक्स,
जिला : इंदौर, इंदौर ।
62. पंजाब नेशनल बैंक,
शांका ० केसर बाग,
जिला : इंदौर, इंदौर ।
63. पंजाब नेशनल बैंक,
शांका ० नई सवजी मंडी,
जिला : इंदौर,
इंदौर ।

- | | |
|---|---|
| 64. पंजाब नेशनल बैंक,
क्षेत्रीय बसूली केन्द्र,
जिला इंदौर,
इंदौर । | 76. पंजाब नेशनल बैंक,
शा०का० अलकापुरी,
रतलाम, इंदौर । |
| 65. पंजाब नेशनल बैंक,
शा०का० औद्योगिक क्षेत्र मंदसौर,
जिला मंदसौर,
इंदौर । | 77. पंजाब नेशनल बैंक,
शा०का० गुडार,
जिला : शिवपुरी,
इंदौर । |
| 66. पंजाब नेशनल बैंक,
शा०का० मानपुर,
जिला : मंदसौर, इंदौर । | 78. पंजाब नेशनल बैंक,
शा०का० बैंक बाजार,
जिला भठिंडा
भठिंडा : पंजाब । |
| 67. पंजाब नेशनल बैंक,
शा०का० पाड़ौल,
जिला : गुना,
इंदौर । | 79. पंजाब नेशनल बैंक,
शा०का० किकर बाजार,
जिला भठिंडा,
भठिंडा, पंजाब । |
| 68. पंजाब नेशनल बैंक,
शा०का० पचलाना,
जिला : शाजापुर,
इंदौर । | 80. पंजाब नेशनल बैंक,
शा०का० सिविल लाइंस,
जिला : भठिंडा,
भठिंडा पंजाब । |
| 69. पंजाब नेशनल बैंक,
शा०का० मकरावदा,
जिला : रतलाम,
इंदौर । | 81. पंजाब नेशनल बैंक,
शा०का० आर्यसमाज चौक,
जिला भठिंडा,
भठिंडा पंजाब । |
| 70. पंजाब नेशनल बैंक,
शा०का० शाहीरागांव,
जिला : गुना, इंदौर । | 82. पंजाब नेशनल बैंक,
शा०का० भगता,
जिला : भठिंडा,
भठिंडा पंजाब । |
| 71. पंजाब नेशनल बैंक,
शा०का० टिगरियागोमा,
जिला : देवास,
इंदौर । | 83. पंजाब नेशनल बैंक,
शा०का० भुक्चों खुर्द,
जिला : भठिंडा,
भठिंडा पंजाब । |
| 72. पंजाब नेशनल बैंक,
शा०का० तुमैन,
जिला : गुना,
इंदौर । | 84. पंजाब नेशनल बैंक,
शा०का० चक्करलकू सिंह वाला,
जिला : भठिंडा,
भठिंडा पंजाब । |
| 73. पंजाब नेशनल बैंक,
शा०का० मुधाष नगर, उज्जैन,
जिला : उज्जैन,
इंदौर । | 85. पंजाब नेशनल बैंक,
शा०का० गोविन्दपुरा,
जिला : भठिंडा,
भठिंडा पंजाब । |
| 74. पंजाब नेशनल बैंक,
शा०का० जावरा,
जिला : रतलाम,
इंदौर । | 86. पंजाब नेशनल बैंक,
शा०का० कोठागुरु,
जिला : भठिंडा,
भठिंडा पंजाब । |
| 75. पंजाब नेशनल बैंक,
शा०का० पीथमपुर,
जिला : धार, इंदौर । | 87. पंजाब नेशनल बैंक,
शा०का० नथाना,
जिला : भठिंडा,
भठिंडा पंजाब । |

- | | |
|--|--|
| 88. पंजाब नेशनल बैंक,
शा०का० पक्का कलां
जिला : भठिंडा
भठिंडा पंजाब | 99. पंजाब नेशनल बैंक,
शा०का० मानसा
जिला : मानसा
भठिंडा पंजाब |
| 89. पंजाब नेशनल बैंक,
शा०का० रामपुरा फूल
जिला : भठिंडा
भठिंडा पंजाब | 100. पंजाब नेशनल बैंक,
शा०का० रिआंद कलो
(मधानिया)
जिला : मानसा
भठिंडा पंजाब |
| 90. पंजाब नेशनल बैंक,
शा०का० रामा मंडी
जिला : भठिंडा
भठिंडा पंजाब | 101. पंजाब नेशनल बैंक,
शा०का० सरदूलगढ़
जिला : मानसा
भठिंडा पंजाब |
| 91. पंजाब नेशनल बैंक,
शा०का० सैलवराह
जिला : भठिंडा
भठिंडा पंजाब | 102. पंजाब नेशनल बैंक,
शा०का० अहमदगढ़ मंडी
जिला : संगरूर
भठिंडा पंजाब |
| 92. पंजाब नेशनल बैंक,
शा०का० संगत मंडी
जिला : भठिंडा
भठिंडा पंजाब | 103. पंजाब नेशनल बैंक
शा. का. अग्ररगढ़
जिला : संगरूर
भठिंडा पंजाब |
| 93. पंजाब नेशनल बैंक,
शा०का० बरेटा
जिला : मानसा
भठिंडा पंजाब | 104. पंजाब नेशनल बैंक
शा. का. बरनाला मेन
जिला : संगरूर
भठिंडा पंजाब |
| 94. पंजाब नेशनल बैंक,
शा०का० भिरवी
जिला : मानसा
भठिंडा, पंजाब | 105. पंजाब नेशनल बैंक
शा. का. हंडियाया बाजार
बरनाला
जिला : संगरूर
भठिंडा पंजाब |
| 95. पंजाब नेशनल बैंक,
शा०का० बोरेवाल
जिला : मानसा
भठिंडा पंजाब | 106. पंजाब नेशनल बैंक
शा. का. भुटाल कलां
जिला : संगरूर
भठिंडा पंजाब |
| 96. पंजाब नेशनल बैंक,
शा०का० बुडलाडा
जिला : मानसा
भठिंडा पंजाब | 107. पंजाब नेशनल बैंक
शा. का. चट्टे ननहेरा
जिला : संगरूर
भठिंडा पंजाब |
| 97. पंजाब नेशनल बैंक,
शा०का० हीरोकलां
जिला : मानसा
भठिंडा पंजाब | 108. पंजाब नेशनल बैंक
शा. का. डडरियां
जिला : संगरूर
भठिंडा पंजाब |
| 98. पंजाब नेशनल बैंक,
शा०का० कुलरियां
जिला : मानसा
भठिंडा पंजाब | 109. पंजाब नेशनल बैंक
शा. का. धुरी मेन
जिला : संगरूर
भठिंडा पंजाब |

- | | |
|--|---|
| 110. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਸ਼ਾ. ਕਾ. ਲੋਹਾ ਬਾਜ਼ਾਰ, ਧੂਰੀ
ਜ਼ਿਲਾ : ਸੰਗਰੂਰ
ਭਟਿੰਡਾ ਪੰਜਾਬ | 121. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਸ਼ਾ. ਕਾ. ਚੇਰਪੁਰ
ਜ਼ਿਲਾ : ਸੰਗਰੂਰ
ਭੁਠਿੰਡਾ ਪੰਜਾਬ |
| 111. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਸ਼ਾ. ਕਾ. ਥਨੌਲਾ
ਜ਼ਿਲਾ : ਸੰਗਰੂਰ
ਭਟਿੰਡਾ, ਪੰਜਾਬ | 122. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਸ਼ਾ. ਕਾ. ਸੁਨਾਮ
ਜ਼ਿਲਾ : ਸੰਗਰੂਰ
ਭਟਿੰਡਾ ਪੰਜਾਬ |
| 112. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਸ਼ਾ. ਕਾ. ਹਰਿਘਾਤ (ਗਾਗਾ)
ਜ਼ਿਲਾ : ਸੰਗਰੂਰ
ਭਟਿੰਡਾ ਪੰਜਾਬ | 123. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਸ਼ਾ. ਕਾ. ਫੁਲੇਵਾਸ
ਜ਼ਿਲਾ : ਸੰਗਰੂਰ
ਭਟਿੰਡਾ ਪੰਜਾਬ |
| 113. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਸ਼ਾ. ਕਾ. ਕੰਗਾਬਾਸ
ਜ਼ਿਲਾ : ਸੰਗਰੂਰ
ਭਟਿੰਡਾ, ਪੰਜਾਬ | 124. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਸ਼ਾ. ਕਾ. ਤਪਾ ਮੰਡੀ
ਜ਼ਿਲਾ : ਸੰਗਰੂਰ
ਭਟਿੰਡਾ ਪੰਜਾਬ |
| 114. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਸ਼ਾ. ਕਾ. ਲੀਂਗੋਵਾਲ
ਜ਼ਿਲਾ : ਸੰਗਰੂਰ
ਭਟਿੰਡਾ ਪੰਜਾਬ | 125. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਸ਼ਾ. ਕਾ. ਟੀਕਰੀਵਾਲ
ਜ਼ਿਲਾ : ਸੰਗਰੂਰ
ਭਟਿੰਡਾ ਪੰਜਾਬ |
| 115. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਸ਼ਾ. ਕਾ. ਮਲੇਰਕੋਟਲਾ ਮੇਨ
ਜ਼ਿਲਾ : ਸੰਗਰੂਰ
ਭਟਿੰਡਾ ਪੰਜਾਬ | 126. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਆਰ੍ਹੀ. ਭੀ. ਭੀ. ਦੀ ਮਾਲ
ਅਮ੍ਰਿਤਸਰ-143 001 |
| 116. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਸ਼ਾ. ਕਾ. ਸਦਰ ਬਾਜ਼ਾਰ
ਮਲੇਰਕੋਟਲਾ
ਜ਼ਿਲਾ : ਸੰਗਰੂਰ
ਭਟਿੰਡਾ ਪੰਜਾਬ | 127. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਅਕਾਲੀ ਮਾਰਕਿਟ,
ਅਮ੍ਰਿਤਸਰ-143001 |
| 117. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਸ਼ਾ. ਕਾ. ਸੋਢ ਨਾਸ਼ਾ
ਜ਼ਿਲਾ : ਸੰਗਰੂਰ
ਭਟਿੰਡਾ ਪੰਜਾਬ | 128. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਪੁਤਲੀਬਰ,
ਅਮ੍ਰਿਤਸਰ-143001 |
| 118. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਸ਼ਾ. ਕਾ. ਸੰਘੇੜਾ
ਜ਼ਿਲਾ : ਸੰਗਰੂਰ
ਭਟਿੰਡਾ ਪੰਜਾਬ | 129. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਫ਼ਾਲ ਬਾਜ਼ਾਰ,
ਅਮ੍ਰਿਤਸਰ-143001 |
| 119. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਸ਼ਾ. ਕਾ. ਮੇਨ ਸੰਗਰੂਰ
ਜ਼ਿਲਾ : ਸੰਗਰੂਰ
ਭਟਿੰਡਾ ਪੰਜਾਬ | 130. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ,
ਬਸਲ ਐਬੇਨ੍ਯੂ,
ਅਮ੍ਰਿਤਸਰ-143001 |
| 120. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਸ਼ਾ. ਕਾ. ਕੋਟੇ ਰੋਡ
ਜ਼ਿਲਾ : ਸੰਗਰੂਰ
ਭਟਿੰਡਾ ਪੰਜਾਬ | 131. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਬਟਾਲਾ ਰੋਡ,
ਅਮ੍ਰਿਤਸਰ-143001 |
| | 132. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਹੰਸਲੀ ਬਾਜ਼ਾਰ,
ਅਮ੍ਰਿਤਸਰ—143001 |
| | 133. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ,
ਜਲਿਆਂਵਾਲਾ ਬਾਗ,
ਅਮ੍ਰਿਤਸਰ-143001 |

134. पंजाब नेशनल बैंक,
कटड़ा आहलूवालिया,
अमृतसर—143001
135. पंजाब नेशनल बैंक,
एम. एम. आई. दीमाल,
अमृतसर—143001
136. पंजाब नेशनल बैंक
मेधा मंडी,
अमृतसर—143001
137. पंजाब नेशनल बैंक,
मजीठ मंडी,
अमृतसर—143001
138. पंजाब नेशनल बैंक
प्रताप स्टील,
अमृतसर—143001
139. पंजाब नेशनल बैंक,
मुस्तानविठ रोड,
अमृतसर—143001
140. पंजाब नेशनल बैंक,
कटड़ा भाई संत सिंह, 1297/X-बी
पो. ओ. हिन्दू सभा कालिज, अमृतसर—143001
141. पंजाब नेशनल बैंक
नारायणगढ़,
अमृतसर—143105
142. पंजाब नेशनल बैंक
आर. सी. सी., जलियांवाला बाग,
अमृतसर—143001
143. पंजाब नेशनल बैंक,
इंडस्ट्रियल फोकल प्वाइंट,
अमृतसर—143001
144. पंजाब नेशनल बैंक
पी मंडी,
अमृतसर—143001
145. पंजाब नेशनल बैंक
क्षेत्रीय कार्यालय, मैकलोड रोड,
सामने सेंट फ्रांसिस स्कूल, अमृतसर—143001
146. पंजाब नेशनल बैंक
बंडियाला गुरु,
अमृतसर—143115
147. पंजाब नेशनल बैंक
पट्टी,
जिला अमृतसर—143416
148. पंजाब नेशनल बैंक
तरनतारन,
जिला अमृतसर—143401
149. पंजाब नेशनल बैंक
अजनाला,
अमृतसर—143102
150. पंजाब नेशनल बैंक
गांव अलगो कोठी,
जिला अमृतसर—143105
151. पंजाब नेशनल बैंक
गांव वासरके गिल्ला
जिला अमृतसर—143105
152. पंजाब नेशनल बैंक
गांव बुताला,
जिला अमृतसर—143203
153. पंजाब नेशनल बैंक
उधोतगल,
चौक मेहता, जिला अमृतसर—143103
154. पंजाब नेशनल बैंक
गांव चमियारी,
जिला अमृतसर—143103
155. पंजाब नेशनल बैंक
चेतनपुरा,
जिला अमृतसर—143606
156. पंजाब नेशनल बैंक
गांव छम्बास,
जिला अमृतसर—143301
157. पंजाब नेशनल बैंक
गांव धुलका, तहसील बाबा बकासा
पो. ओ. खिलचियां, जिला अमृतसर—143111
158. पंजाब नेशनल बैंक
गांव फतेहाबाद
जिला अमृतसर—143407
159. पंजाब नेशनल बैंक
गांव सराय अमानतखां
जिला अमृतसर—143414
160. पंजाब नेशनल बैंक
गांव घड़ियावाला,
जिला अमृतसर—143421
161. पंजाब नेशनल बैंक
गांव गोहंवाला, पो. ओ. फतेहाबाद,
जिला अमृतसर—143407
162. पंजाब नेशनल बैंक
गांव जयसिपुर,
जिला अमृतसर—143001

- | | |
|---|--|
| 163. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਮਲਿਆਂ, ਕੈਂਪ ਤਰਨਤਾਰਨ,
ਜ਼ਿਲਾ ਅਮ੍ਰਿਤਸਰ—143401 | 177. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਗਾਂਥ ਭਲਾ ਪਿੰਡ, ਤਹਸੀਲ ਅਜਮਾਲਾ,
ਜ਼ਿਲਾ ਅਮ੍ਰਿਤਸਰ—143102 |
| 164. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਗਾਂਥ ਕਾਲੇਕੇ, ਪੀਐੱਓ. ਲਿਲਾਬਿਆਂ,
ਜ਼ਿਲਾ ਅਮ੍ਰਿਤਸਰ—143111 | 178. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਤਲਵੰਡੀਰਾਯ ਬਾਦ, ਕੈਂਪ ਅਜਮਾਲਾ,
ਜ਼ਿਲਾ ਅਮ੍ਰਿਤਸਰ—143102 |
| 165. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਗਾਂਥ ਕਠੂਨਗਲ
ਜ਼ਿਲਾ ਅਮ੍ਰਿਤਸਰ—143502 | 179. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਗਾਂਥ ਟਰਸਿੰਕਾ,
ਜ਼ਿਲਾ ਅਮ੍ਰਿਤਸਰ—143116 |
| 166. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਗਾਂਥ ਖਾਸਾ,
ਜ਼ਿਲਾ ਅਮ੍ਰਿਤਸਰ—143107 | 180. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਗਾਂਥ ਅਡਡਾ ਦੁਬਰੀ,
ਤਹਸੀਲ ਤਰਨਤਾਰਨ, ਜ਼ਿਲਾ ਅਮ੍ਰਿਤਸਰ—143401 |
| 167. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਗਾਂਥ ਖੇਮਕਰਨ,
ਜ਼ਿਲਾ ਅਮ੍ਰਿਤਸਰ—143419 | 181. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਬਢੋਆ ਕੈਂਪ ਅਡਡਾ ਫ਼ਤਿਹਗੜ੍ਹ,
ਜ਼ਿਲਾ ਅਮ੍ਰਿਤਸਰ—143606 |
| 168. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਗਾਂਥ ਕੋਟ ਗੋ. ਖਾ., ਪੀ. ਐੱਓ. ਬੋਲਿਆਂ
ਪੀ. ਐੱਓ. ਚੌਧਰੀ,
ਜ਼ਿਲਾ ਅਮ੍ਰਿਤਸਰ—143411 | 182. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਬਡਾਲਾ ਧੀਰਮ, ਕੈਂਪ ਮੁਜੀਠਾ,
ਪੀ. ਐੱਓ. ਚੇਤਨਪੁਰਾ, ਜ਼ਿਲਾ ਅਮ੍ਰਿਤਸਰ—143606 |
| 169. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਗਾਂਥ ਕਲਾਹ, ਤਹਸੀਲ ਤਰਨਤਾਰਨ,
ਜ਼ਿਲਾ ਅਮ੍ਰਿਤਸਰ—143406 | 183. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਗਾਂਥ ਕੰਢੀ,
ਜ਼ਿਲਾ ਅਮ੍ਰਿਤਸਰ—143204 |
| 170. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ,
ਗਾਂਥ ਨੁਸ਼ਹਰਾ ਪਨੂਆ,
ਜ਼ਿਲਾ ਅਮ੍ਰਿਤਸਰ—143409 | 184. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਕਟੜਾ ਐਮਲ ਸਿੰਹ,
ਅਮ੍ਰਿਤਸਰ—143001 |
| 171. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਗਾਂਥ ਮਿਨਹਾਲਾ ਐੱਸ. ਸਿੰਹ,
ਜ਼ਿਲਾ ਅਮ੍ਰਿਤਸਰ | 185. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਕਰੀਬ ਰੋਡ,
ਅਮ੍ਰਿਤਸਰ—143001 |
| 172. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਗਾਂਥ ਰਾਜਾਸਾਸੀ,
ਜ਼ਿਲਾ ਅਮ੍ਰਿਤਸਰ—143101 | 186. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਟੁੰਡਾ ਤਲਾਬ,
ਅਮ੍ਰਿਤਸਰ—143001 |
| 173. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਗਾਂਥ ਰਾਧਾ ਤਾਲ, ਪੀ. ਐੱਓ. ਖਟਾਰੀ,
ਜ਼ਿਲਾ ਅਮ੍ਰਿਤਸਰ—143100 | 187. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਕੋਟ ਖਾਲਸਾ,
ਅਮ੍ਰਿਤਸਰ—143001 |
| 174. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਗਾਂਥ ਰਸੂਲਪੁਰ ਕਲਾਂ,
ਜ਼ਿਲਾ ਅਮ੍ਰਿਤਸਰ—143113 | 188. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ,
ਕੋਟ ਮੀਤ ਸਿੰਹ,
ਅਮ੍ਰਿਤਸਰ—143001 |
| 175. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਰੇਖਾ,
ਜ਼ਿਲਾ ਅਮ੍ਰਿਤਸਰ—143112 | 189. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ,
ਮੁਜੀਠਾ ਰੋਡ,
ਅਮ੍ਰਿਤਸਰ—143001 |
| 176. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਗਾਂਥ ਸਠਿਆਲਾ,
ਜ਼ਿਲਾ ਅਮ੍ਰਿਤਸਰ—143205 | 190. ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
ਅਮ੍ਰਿਤਸਰ ਕੈਂਟ,
ਅਮ੍ਰਿਤਸਰ—143001 |

191. पंजाब नेशनल बैंक,
ग्रीन एवेन्यू
अमृतसर-143001.
192. पंजाब नेशनल बैंक,
रेलवे रोड, पट्टी,
जिला अमृतसर-143416.
193. पंजाब नेशनल बैंक,
चौक बोहड़ीवाला,
तरनतारन, जिला अमृतसर-143401.
194. पंजाब नेशनल बैंक,
गांव नागकलां,
पी.ओ. चेतनपुरा,
जिला अमृतसर-143606.
195. पंजाब नेशनल बैंक,
गांव जी.टी. रोड, रैय्या,
जिला अमृतसर-143112.
196. पंजाब नेशनल बैंक,
गांव जामाराय,
पी.ओ. धोतियां,
जिला अमृतसर-143411.
197. पंजाब नेशनल बैंक,
गांव रुकीवाला,
(चोहलां साहिब),
पी.ओ. फतेहाबाद,
जिला अमृतसर-143407.
198. पंजाब नेशनल बैंक,
गांव सरहालीकलां
जिला अमृतसर.
199. पंजाब नेशनल बैंक,
डी.ए.वी. कालिज,
अमृतसर-143001.
200. पंजाब नेशनल बैंक,
लारेंस रोड,
अमृतसर-143001.
201. पंजाब नेशनल बैंक
आर.एस.डी.सी.,
जलियांवाला बाग,
अमृतसर-143001.
202. पंजाब नेशनल बैंक
शा.का. लोहरवगा
जिला लोहरवगा, बिहार
203. पंजाब नेशनल बैंक
शा.का. गढ़वा,
जिला गढ़वा
बिहार
204. पंजाब नेशनल बैंक
शा.का. संस्कार मण्डल
जिला तलाजा रोड,
भावनगर,
गुजरात।
205. पंजाब नेशनल बैंक
अग्रणी जिला प्रबंधक कार्यालय
फतेहाबाद
जिला फतेहाबाद
206. पंजाब नेशनल बैंक
शा.का.जे.वी.एम.जी.आर.अ
चरखी दादरी।
207. पंजाब नेशनल बैंक
शा.का. गांव देहरा
तहसील देहरा
जिला-कांगडा-177011
208. पंजाब नेशनल बैंक
शा.का. शम्भूधराल माडन स्कूल
गोहाना रोड,
सोनीपत-131001
209. पंजाब नेशनल बैंक
शा.का. बाड़मेर
रीको इंडिस्ट्रियल एरिया
जिला बाड़मेर,
राजस्थान
210. पंजाब नेशनल बैंक
शा.का. गोपी गंज
जिला भवोही,
उत्तर प्रदेश
211. पंजाब नेशनल बैंक
शा.का. भिखारीपुर
जिला वाराणसी,
(उत्तर प्रदेश)
212. पंजाब नेशनल बैंक
गांव-कोट धर्मचंद, तहसील-तरनतारन
पी.ओ.-छब्बाल,
जिला-अमृतसर-143301.

(DEPARTMENT OF ECONOMIC AFFAIRS)

(Banking Division)

New Delhi, the 31st May, 1999

S.O. 1942.—In pursuance of sub-rule (4) of Rule 10 of the Official Languages (use of official purposes of the Union) Rules, 1976 the Central Government, hereby notifies the listed offices/branches of the following banks in the attached annexure, more than 80 per cent of the staff whereof have acquired the working knowledge of Hindi —

S. No.	Name of the Banks	No. of Offices/Branches
1.	Union Bank of India.	27
2.	Vijaya Bank.	47
3.	State Bank of India.	01
4.	Central Bank of India.	20
5.	Bank of Maharashtra.	12
6.	State Bank of Mysore.	04
7.	Corporation Bank.	08
8.	State Bank of Bikaner & Jaipur.	02
9.	Small Industries Development Bank of India.	01
10.	Punjab National Bank.	212
Total :		334

[F. No. 11016/2/99-Hindi]

REMESH BABU ANIYERY, Dy. Director (O.L.)

ANNEXURE

UNION BANK OF INDIA

Official Language Department C.O., Mumbai

List of branches recommended for notification under Rule 10(4)

1. Regional Office,
G.N.B. Road, Chandmari,
Guwahati-781003 Assam.
2. Chandmari Branch,
G.N.B. Road, Chandmari,
Near Flyover, Guwahati,
Assam-781003.
3. Anogiri Branch. At Post Anogiri
Via Tura, District West Caro Hills,
Meghalaya-794002.
4. Agartala Branch,
4, Hariganga Basak Road,
P.B. No. 26, Agartala,
District West Tripura,
Tripura-799001.
5. Balapara Branch,
Village Balapara,
P.O. Gaubandha, Via Bangaon,
District Barpeta,
Assam-781375.
6. Dhubri Branch, Chowk Bazar,
District Dhubri, Assam-783301.
7. Gahia Branch, At & Post Gahia,
Vellapalla Road, Via Vella,
District Barpeta, Assam-781309.
8. Godhuligaon Branch,
A & P Jalahghat,
District Barpeta, Assam-781327.
9. Holliowagon Branch,
At & Post Jagi Bhakatgaon,
8th Miles, Post Kundil (Sadlyn),
District Tinsukia, Assam-786158.

10. Dholabazar Branch,
At & P. Dholabazar,
Via Post Saikhowaghat (Dhola),
District Tinsukia, Assam-786154.
 11. Jagi Bhakatgaon Branch,
At & Post Jagi Bank at gaon,
District Morigaon, Assam-782411.
 12. Jarhat Branch,
A. T. Road, Post Jorhat,
Chowk Bazar, District Jorhat,
Assam-785001.
 13. Sookrating Branch,
At & Post Sookrating,
Via Deomdooma, District Tinsukia,
Assam-786151.
 14. Katlichera Branch,
At & Post Katlichera,
District Hailakandi,
Assam-788161.
 15. Kharupetia Branch,
Mahabir Road, P.O. Kharupetia,
District Darrang, Assam-784115.
 16. Maidamgaon Branch,
Tahbildar Building,
Bashishtha Road,
Beltola, Guwahati,
Assam-781028.
 17. Nowgong Branch,
G.N.B. Road, Bajaj Market,
1st Floor, Dacca-patti,
District Nowgang, Assam-782001.
 18. Pathsala Branch,
College Road, Post Pathsala,
District Barpeta, Assam-781325.
- UNION BANK OF INDIA
19. Shantipur Branch,
Post Shantipur, Via Chapakhowa,
District Tinsukia, Assam-786157.
 20. Silchar Branch. Premitala,
Post Silchar, District Cachar,
Assam-788004.
 21. Tinsukia Branch,
A. T. Road, Siding Bazar,
Post Tinsukia, District Tinsukia,
Assam-788125.
 22. Collectorate Campus Branch,
Sidhi, Post & District Sidhi (M.P.),
Pin-486661.
 23. Christ Jyoti Satna Branch,
Near Bus Stand, Rewa Road,
Satna-485001.
 24. St. Joseph Branch,
Kamayani Apartment,
E-7, Arera Apartment, Bhopal.
 25. Subhanpura Branch,
Vardhman Rec-com Plaza,
High Tension Line,
Subhanpura Main Road,
Baroda-390007.
 26. Santacruz Overseas Branch,
86, Adarsh, S. V. Road, Santacruz (West),
Mumbai-400054.
 27. Srinagar Garhwal Branch,
Veer Chandra Singh Garhwali Road,
District Pauri Garhwal,
Uttar Pradesh.

VIJAYA BANK
HEAD OFFICE
OFFICIAL LANGUAGE DIVISION
BANGALORE

1. Vijaya Bank,
10203, Jamna House, Padam Singh Road,
Karolbagh, New Delhi-110005.
2. Vijaya Bank,
B-25, New Krishna Park,
P.O. Tilaknagar,
New Delhi-110018.
3. Vijaya Bank,
No. 1, 3732 (1st Floor),
Loni Road, Timber Market,
Shahdara, New Delhi-110032.
4. Vijaya Bank,
"Vijaya", 17, Barakhamba Road,
New Delhi-110001.
5. Vijaya Bank,
Divisional Accounts Office,
P-6/90, 1st Floor,
Connaught Circus,
New Delhi-110001.
6. Vijaya Bank,
M-53, Shopping Centre (Market),
Greater Kailash-II,
New Delhi-110048.
7. Vijaya Bank,
Vijaya Commercial Complex,
43, Lajpat Nagar,
Jaymarg, Alwar-301001.
8. Vijaya Bank,
4, Ahinsa Complex, Ambedkar Circle,
Pali, Marwar-306401.
9. Vijaya Bank,
Divisional Accounts Office,
1st Floor, Mayfair Building,
Hazratganj, Lucknow-226001.
10. Vijaya Bank,
Alpe Padil Branch,
Mangalore-575007.
11. Vijaya Bank,
Athikaribettu Branch
Mangalore Taluk,
Dakshin Kannada District,
Athikaribettu-574171.
12. Vijaya Bank,
Badagamijar-574225,
Post Mijar, Karkala Taluk,
Dakshina Kannada District.
13. Vijaya Bank,
Near Post Office,
Main Road, Byndoor-576214.
14. Vijaya Bank,
Damaskatta-574141,
Aikala, Mangalore Taluk,
Dakshina Kannada District.
15. Vijaya Bank,
B. M. K. Commercial Complex,
Falnir, Mangalore-575002.
16. Vijaya Bank,
Main Road,
1987, Sagar Nidhi Complex,
Post Kulai,
Hosabettu-574176.
17. Vijaya Bank,
Vijaya Sannidhi Building,
Mangalore-Udupi Road,
Karnad, Mulki-574154,
Dakshina Kannada District.
18. Vijaya Bank,
Sri Durgaparameshwari
Temple Building,
Kateel, Mangalore Taluk,
Dakshina Kannada District.
19. Vijaya Bank,
P.B. No. 10,
Sri Katyayani Building,
Opp. Market, Main Road,
Kinnigoli-574150,
Mangalore Taluk,
Dakshina Kannada District.
20. Vijaya Bank,
Konaje-574199,
P.O. Mangalagangothri,
Mangalore Taluk,
Dakshina Kannada District.
21. Vijaya Bank,
Kanthimahall,
Kuppepadayil-575162,
Mangalore Taluk,
Dakshina Kannada District.
22. Vijaya Bank,
Vijayaraj Commercial Complex,
New Bus Stand,
Moodabidri-574227,
Karkala Taluk,
Dakshina Kannada District.
23. Vijaya Bank,
Market Yard Annexe Building,
Panambur,
New Mangalore Port Trust,
Mangalore-575010.
24. Vijaya Bank,
P.B. No. 3, Vijaya Mahal,
Mangalore-Udupi Road,
Suratkal-574158,
Mangalore Taluk,
Dakshina Kannada District.
25. Vijaya Bank,
Sri Ramaprasad Building,
Ferry Road, Talpady-574184,
Mangalore Taluk,
Dakshina Kannada District.
26. Vijaya Bank,
Shankar Complex,
Vamanjoor-574508,
Mangalore Taluk.
27. Vijaya Bank,
Saiprasad, Near Bus Stand,
Neermarga-575005,
P.O. Oedamale.
28. Vijaya Bank,
Bikarnkatta,
P.O. Kulashakar,
Mangalore-575005.
29. Vijaya Bank,
Ganesh Nilaya,
Ferry Road, Near New Chitra Talkies,
Alake, Mangalore-575003.
30. Vijaya Bank,
Vijayashree Mahal,
23-11-970/1,
Mangaladevi Temple Road,
Hoigebazur, Mangalore-575001.
31. Vijaya Bank,
30/11, 1st Floor,
MTAPM Society Bldg.,
National Highway, Kulur,
Mangalore-575013.

32. Vijaya Bank,
SSI Branch,
Canara Small Industries
Association Building,
Industrial Area, Baikampadi,
Mangalore-575 011.
33. Vijaya Bank,
Currency Chest, LHH Road,
Mangalore-575 003.
34. Vijaya Bank,
Divisional Accounts Office,
Catholic Club Building,
Hampanakatta,
Mangalore-575 003.
35. Vijaya Bank,
Staff Training Centre,
Vijaya Sannidhi,
Mulki-574 154.
Dakshina Kannada District.
36. Vijaya Bank,
Regional Inspectorate,
Vijaya Tower,
LHH Road, Mangalore-575 003.
37. Vijaya Bank,
Muda Building, Kulur Ferry Road,
Ashoknagar, Mangalore-575 006.
38. Vijaya Bank,
Sadashiv Shetty Memorial Complex,
Bondel, Kavour Post,
Mangalore-575 008.
39. Vijaya Bank,
City Mangalore,
Catholic Club Building,
Main Road, Hampanakatta,
Mangalore-575001.
40. Vijaya Bank,
24/20/1610,
Marnamikatta, Jeppu,
Mangalore-575 001.
41. Vijaya Bank,
Lobo Building,
Mangalore-Karkala Road,
Kaikamba-574 151, Kinnikambala Post,
Dakshina Kannada District.
42. Vijaya Bank,
Founders Branch,
Vijaya Tower,
LHH Road,
Mangalore-575 003.
43. Vijaya Bank,
High Land Complex,
Thokkottu,
P.O. Permannur,
Ullal-574 183.
Dakshina Kannada District.
44. Vijaya Bank,
J. M. Road, Bave Mahal,
Bunder, Mangalore-575 001.
45. Vijaya Bank,
Bijai Church Cross Road,
Bijai, Mangalore-575 004.
46. Vijaya Bank,
Zonal Office,
Vijaya Tower,
LHH Road,
Mangalore-575 003.
47. Vijaya Bank,
Niddodi-574274,
Kalla Mundku Post,
Karkala Taluk,
Dakshina Kannada District.

STATE BANK OF INDIA

1. State Bank of India,
Personal Banking Branch,
11, Sansad Marg, New Delhi.

CENTRAL BANK OF INDIA

HEAD OFFICE

MUMBAI

1. Central Bank of India,
Deva Road Branch,
Deva Road Industrial Area,
Matiyari Circle,
Chinhat District, Lucknow-227 105.
2. Central Bank of India,
Goshaiganj Branch,
Faizabad, Bahraich Road,
Faizabad-224 151.
3. Central Bank of India,
Rama Branch,
In front of Maharajpur,
241, G. T. Road,
Kanpur-208 001.
4. Central Bank of India,
Regional Office,
First Floor,
Palika Bazar,
Deoria-274 001.
5. Central Bank of India,
Krishi Utpadan Mandi Samiti,
Varanasi, Nakkighat,
Varanasi-221 002.
6. Central Bank of India,
Naini Branch,
Naini Industrial Area,
397 B, Mewalal Ki Bagra,
Allahabad-211 008.
7. Central Bank of India,
Nagpura Branch,
Tekadeari, Tehsil Rasra,
Ballia-221 719.
8. Central Bank of India,
Garhmalpur Branch,
Garhmalpur,
Ballia-221 709.
9. Central Bank of India,
Kaitholi Branch,
Block Baruabari,
Kaitholi,
District Ballia-227 213.
10. Central Bank of India,
Pratapgarh Branch,
In front of Rajapal Petrol Pump,
Cochheri Road,
Pratapgarh, (U.P.).
11. Central Bank of India,
Gorakhpur Branch,
Bank Road Moh, Purdilpur,
Gorakhpur-227 301.
12. Central Bank of India,
Paidleganj Branch,
C/188/63, Kasda Road,
Gorakhpur University,
Gorakhpur-273 009.
13. Central Bank of India,
Gonda Branch,
Bargaon, Gonda-271 001.
14. Central Bank of India,
Regional Office, Nagpur,
Victoria Building,
Kamthi Road, Nagpur-440 001.

15. Central Bank of India,
Bootibori Branch,
Shed No. 26, Near Water Tan
M.I.D.C., Bootibori-441 108.
Dist. Nagpur
16. Central Bank of India,
Nagpur Branch,
Oriental Building,
Station Road,
Nagpur-440 001
17. Central Bank of India,
Parurkada Branch,
Vill. Kaudiar,
Post-Perurkada,
Block-Trivandrum,
Dist. Trivandrum.
18. Central Bank of India,
Kunnpula Branch,
Vill Tirumala, Post-Aramda,
Block-Trivendrum Corp.
Dist. Trivendrum.
19. Central Bank of India,
Pattnapuram Branch,
Vill & Post-Pattnapuram,
Block-Pattnapuram,
Dist. Kollam.
20. Central Bank of India,
Saurashtra Cement & Chemical,
Ltd. Branch,
Ranavav-360 550,
Dist. Junagadh,
Gujrat.

BANK OF MAHARASHTRA

1. Regional Office,
Bank of Maharashtra,
4-3-379, 2nd Floor,
Bank Street, Sultan Bazar,
Hyderabad-500 001.
 2. Regional Office,
Bank of Maharashtra,
Datta Prasad Bhavan, 1st Floor,
Mahatma Gandhi Marg,
Panji-Goa-403 001.
 3. Panji Branch,
Bank of Maharashtra,
Sukerkar Bhavan, M.G. Road,
Panji, Goa 403 001.
 4. Mapusa Branch,
Bank of Maharashtra,
Coscar Bldg., Near S.B.I.
Coscar Corner, Mapusa,
Tal. Bardez,
Goa-403 507.
 5. Vasco-Da-Gama Branch,
Bank of Maharashtra,
Janta Bhavan Swatantra Path,
Vasco-da-Gama,
Goa-403 802.
 6. Phonda Branch,
Bank of Maharashtra,
Dr. Usgaonkar's Bldg.,
Ayesha Theatre,
- Phonda,
Goa-403 401.
 7. Regional Office,
Bank of Maharashtra,
Raipur Region,
Chawala Complex, First Floor,
Sainagar (Devendranagar),
Raipur-492 001 (M.P.).
 8. General Manager's Office,
Bank of Maharashtra
APJ House,
V. B. Gandhi Marg,
Port, Mumbai-400 023
 9. Shrikrishnanagar Branch,
Bank of Maharashtra,
Shrikrishna Shikshan P
Prasarak, Manda's Chougk
High School,
Boriwali Mumbai-400 066.
 10. Harinagar Branch,
Bank of Maharashtra,
Kailas Appartments,
Near Iscon Temple,
Opp. Harinagar Water Tank,
Gotri-Rasna Road,
Baroda-390 007 (Gujrat)
 11. Shirdi Branch,
Bank of Maharashtra,
S. No. 171, Hotel Sai
Sanjeevan, Behind Sainath
Hospital, Shirdi
Dist. Ahmednagar 423 109.
 12. Indiranagar Branch,
Bank of Maharashtra,
Mauli Banglow
Near Rajsarthee Society,
Pathardi Phata, Indiranagar,
Nasik-422 009.

STATE BANK OF MYSORE

1. State Bank of Mysore,
Indore Branch,
No. 578, M. G. Road,
Indore-452 001.
2. State Bank of Mysore,
Bhopal Branch,
No. 252, C & D,
Ashok Garden,
Bhopal-462 023.
3. State Bank of Mysore
Ahmedabad Branch,
P.B. No. 46,
Ahmedabad-380 001.
4. State Bank of Mysore,
Jaipur Branch,
II Floor, Usha Plaza,
M.G. Road,
Jaipur-302 001.

CORPORATION BANK

1. Corporation Bank,
No. 64, Vastra Bhawan,
4th Main, 18th Cross,
Malleswaram,
Bangalore-560055,
Karnataka.
2. Corporation Bank,
No. 6, Gandhi Bazar,
Basavanagudi,
Bangalore-560 004,
Karnataka.
3. Corporation Bank,
14/15, K. Kanraj Road,
(Cavalry Road),
P.B. No. 4242,
Cantonment,
Bangalore-560 042,
Karnataka.
4. Corporation Bank,
Aruna Complex,
No. 66/1, and 66/21,
First Floor, Jayachamarajendra
Road, Bangalore-560-002,
Karnataka.
5. Corporation Bank,
No. 6, 5th Cross,
Appareddy Complex,
Mysore Road,
Bangalore-560 026.
6. Corporation Bank,
Post Box No. 2738,
No. 26, K.H. Road,
Shanthinagar,
Bangalore-560027,
Karnataka
7. Corporation Bank,
1st Floor, T.V. Complex,
118, Kilari Road,
(B.V.K. Iyengar Road Cross).
P. B. No. 7575,
Bangalore-560 053.
Karnataka.
8. Corporation Bank,
241, Bannerghatta Road,
Arekere Gate,
Bangalore-560 076,
Karnataka.
1. State Bank of Bikaner & Jaipur,
Azad Chowk Branch,
Azad Chowk, Banswara,
Distt. Banswara
(Rajasthan).
2. State Bank of Bikaner & Jaipur,
K.U.M. Branch,
Anant Pura,
Distt. Anant Pura.
(Rajasthan).

SMALL INDUSTRIES DEVELOPMENT BANK
OF INDIA (SIDBI)

1. Small Industries Development of Bank of
India,
S C O 145-46, 1st, 2nd & 3rd Floor,
Sector 17C, P.B. No. 92,
Chandigarh-160 107.

PUNJAB NATIONAL BANK.

HEAD OFFICE,
NEW DELHI

- 1 Punjab National Bank,
Adda Cholang,
Tehsil Dasua,
Dist. Hoshiarpur, Punjab.
2. Punjab National Bank,
Adda Kot Fatoohi,
Tehsil Garhshankar,
Distt. Hoshiarpur, Punjab.
3. Punjab National Bank,
Ajnaha,
Tehsil Garhshankar,
Distt. Hoshiarpur, Punjab.
4. Punjab National Bank,
Vadia Kalan,
Teh. Garhshankar,
Distt. Hoshiarpur, Punjab.
5. Punjab National Bank,
Bassi Daulatkhan,
Distt. Hoshiarpur, Punjab.
6. Punjab National Bank,
Bassi Kalan,
Distt. Hoshiarpur, Punjab.
7. Punjab National Bank,
Bham,
Teh. Garhshankar,
Distt. Hoshiarpur, Punjab.
8. Punjab National Bank,
Bhangala, Teh. Dasua,
Distt. Hoshiarpur, Punjab.
9. Punjab National Bank,
Bhunga, Teh. Dasua,
Distt. Hoshiarpur, Punjab.
10. Punjab National Bank,
Budhabadh, Teh. Dasua,
Distt. Hoshiarpur, Punjab.
11. Punjab National Bank,
Chautalla,
Teh. Dasua,
Distt. Hoshiarpur, Punjab.
12. Punjab National Bank,
G.T. Road, Teh. Dasua,
Distt. Hoshiarpur, Punjab.
13. Punjab National Bank,
Old Grain Market, Dasua,
Teh. Dasua,
Distt. Hoshiarpur, Punjab.

14. Punjab National Bank,
Gargdiwala,
Teh. Dasua,
Distt. Hoshiarpur, Punjab.
15. Punjab National Bank,
Garhshanker,
Teh. Garhshanker,
Distt. Hoshiarpur, Punjab.
16. Punjab National Bank,
Main Bazar, Garhshanker,
Teh. Garhshanker,
Distt. Hoshiarpur, Punjab.
17. Punjab National Bank,
Gaondpur (Bhunga),
Teh. Dasua,
Distt. Hoshiarpur, Punjab.
18. Punjab National Bank,
Gondpur (Mahipur),
Teh. Garhshanker,
Distt. Hoshiarpur,
19. Punjab National Bank,
Hariana,
Teh. Dasua,
Distt. Hoshiarpur, Punjab.
20. Punjab National Bank,
Hazipur,
Teh. Dasua,
Distt. Hoshiarpur, Punjab.
21. Punjab National Bank,
Bahadur Pur Chowk,
Hoshiarpur, Punjab.
22. Punjab National Bank,
Balmiki Chowk,
Hoshiarpur, Punjab.
23. Punjab National Bank,
Jalandhar Road,
Hoshiarpur, Punjab.
24. Punjab National Bank,
New Sabji Mandi,
Hoshiarpur, Punjab.
25. Punjab National Bank,
Mandi Area,
Hoshiarpur,
Distt. Hoshiarpur, Punjab.
26. Punjab National Bank,
Railway Road, Hoshiarpur,
Distt. Hoshiarpur, Punjab.
27. Punjab National Bank,
Jaljoan Doaba,
Teh. Garhshanker,
Distt. Hoshiarpur, Punjab.
28. Punjab National Bank,
Janouri. Teh. Dasua,
Distt. Hoshiarpur, Punjab.
29. Punjab National Bank,
Kumahi Devi, Teh. Dasua,
Distt. Hoshiarpur, Punjab.
30. Punjab National Bank,
Mandhala Jattan Teh., Dasua,
Distt. Hoshiarpur, Punjab.
31. Punjab National Bank,
Khudda, Teh. Dasua,
Distt. Hoshiarpur, Punjab.
32. Punjab National Bank,
Phagwara Road, Mahilpur,
Teh. Garhshanker,
Distt. Hoshiarpur, Punjab.
33. Punjab National Bank,
Mahilpur,
Teh. Garhshanker,
Distt. Hoshiarpur, Punjab.
34. Punjab National Bank,
Manhotta, Teh. Dasua,
Distt. Hoshiarpur, Punjab.
35. Punjab National Bank,
Megowal Doaba,
Teh. Garhshanker,
Distt. Hoshiarpur, Punjab.
36. Punjab National Bank,
Mehlanwali,
Distt. Hoshiarpur,
Punjab.
37. Punjab National Bank,
Miani Khas,
Teh. Dasua,
Distt. Hoshiarpur,
Punjab.
38. Punjab National Bank,
Moranwali,
Teh. Garhshanker,
Distt. Hoshiarpur, Punjab.
39. Punjab National Bank,
Mukerian,
Teh. Dasua,
Distt. Hoshiarpur, Punjab.
40. Punjab National Bank,
Main Bazar, Mukerian,
Teh. Dasua,
Distt. Hoshiarpur, Punjab.
41. Punjab National Bank,
Nandachor,
Teh. Hoshiarpur,
Distt. Hoshiarpur, Punjab.
42. Punjab National Bank,
Paddi Sura Singh,
Teh. Gurhshanker,
Distt. Hoshiarpur, Punjab.
43. Punjab National Bank,
Paldi,
Teh. Garhshanker,
Distt. Hoshiarpur, Punjab.
44. Punjab National Bank,
Sahri, Teh. Hoshiarpur,
Distt. Hoshiarpur, Punjab.
45. Punjab National Bank,
Salia Khurd Teh. Garhshanker,
Distt. Hoshiarpur, Punjab.

46. Punjab National Bank,
Sham Chorasi,
Teh. Hoshiarpur,
Distt. Hoshiarpur,
Punjab.
47. Punjab National Bank,
Talwandi Salian,
Teh. Dasua,
Distt. Hoshiarpur, Punjab
48. Punjab National Bank,
Talwara,
Teh. Dasua,
Distt. Hoshiarpur,
Punjab.
49. Punjab National Bank,
Tanda Umar,
Teh. Dasua,
Distt. Hoshiarpur,
Punjab.
50. Punjab National Bank,
Tarkiana,
Teh. Dasua,
Distt. Hoshiarpur,
Punjab.
51. Punjab National Bank,
Unchi Bassi,
Teh. Dasua,
Distt. Hoshiarpur,
Punjab.
52. Punjab National Bank
B/o Muzaffarnagar,
Muzaffarnagar, U.P.
53. Punjab National Bank,
B/o Ashok Nagar,
Distt. Guna, Indore.
54. Punjab National Bank,
B/o Balon,
Distt. Dewas, Indore.
55. Punjab National Bank,
B/O Dewas,
Distt. Nimar West, Indore.
56. Punjab National Bank,
B/O : Dewas,
Distt. Dewas, Indore.
57. Punjab National Bank,
B/O Dhamnod,
Distt. Ratlam,
Indore.
58. Punjab National Bank,
B/O Guna, Distt. Guna,
Indore.
59. Punjab National Bank,
D.C.O. Guna,
Indore.
60. Punjab National Bank,
B/O M.P.H.B.
Distt. Indore, Indore.
61. Punjab National Bank,
B/O Indira Complex,
Distt. Indore, Indore.
62. Punjab National Bank,
B/O Kesar Bagh,
Distt. Indore, Indore.
63. Punjab National Bank,
B/O New Sabji Mandi,
Distt. Indore, Indore.
64. Punjab National Bank,
R.C.C. Distt. Indore,
Indore.
65. Punjab National Bank
B/O Industrial Area,
Mandsaur, Distt. Mandsaur,
Indore.
66. Punjab National Bank,
B/O Manpur,
Distt. Mandsaur, Indore.
67. Punjab National Bank,
B/O Pachlana,
Distt. Shazapur, Indore.
68. Punjab National Bank,
B/O : Padon, Distt. Guna,
Indore.
69. Punjab National Bank,
B/O : Sakrawada,
Distt. Ratlam, Indore.
70. Punjab National Bank,
B/O : Shadhoragaon,
Distt. Guna, Indore.
71. Punjab National Bank,
B/O : Tigriyagoga,
Distt. Dewas, Indore.
72. Punjab National Bank,
B/O : Tuman, Distt. Guna,
Indore.
73. Punjab National Bank,
B/O : Subhash Nagar, Ujjain,
Distt. Ujjain, Indore.
74. Punjab National Bank,
B/O : Jaora, Distt. Ratlam,
Indore.
75. Punjab National Bank,
B/O : Pithampur,
Distt. Dhar, Indore.
76. Punjab National Bank,
B/O : Alkapuri, Ratlam,
Indore.
77. Punjab National Bank,
B/O Gudar,
Distt. Shivpuri, Indore.
78. Punjab National Bank,
B/O : Bank Bazar,
Distt. Bathinda,
Bathinda Punjab.
79. Punjab National Bank,
B/O : Kikar Bazar,
Distt. Bathinda,
Bathinda Punjab.
80. Punjab National Bank,
B/O : Civil Lines,
Distt. Bathinda,
Bathinda Punjab.
81. Punjab National Bank,
B/O : Arva Samai Chowk,
Distt. Bathinda,
Bathinda, Punjab.
82. Punjab National Bank,
B/O : Bhagta,
Distt. Bathinda,
Bathinda, Punjab.
83. Punjab National Bank,
B/O : Ahucha Khurd,
Distt. Bathinda,
Bathinda, Punjab.

- | | |
|---|---|
| <p>84. Punjab National Bank,
B/O : Chak Ruldu Singh Wala,
Distt. Bathinda,
Bathinda, Punjab.</p> <p>85. Punjab National Bank,
B/O : Govind Pura,
Distt. Bathinda,
Bathinda, Punjab.</p> <p>86. Punjab National Bank,
B/O : Kathaguru,
Distt. Bathinda,
Bathinda, Punjab.</p> <p>87. Punjab National Bank,
B/O : Nathana,
Distt. Bathinda,
Bathinda, Punjab.</p> <p>88. Punjab National Bank,
B/O : Pakka Kalan,
Distt. Bathinda,
Bathinda, Punjab.</p> <p>89. Punjab National Bank,
B/O : Rampura Phul,
Distt. Bathinda,
Bathinda, Punjab.</p> <p>90. Punjab National Bank,
B/O : Raman Mandi,
Distt. Bathinda,
Bathinda, Punjab.</p> <p>91. Punjab National Bank,
B/O : Sailbrah,
Distt. Bathinda,
Bathinda, Punjab.</p> <p>92. Punjab National Bank,
B/O : Sangat Mandi,
Distt. Bathinda,
Bathinda, Punjab.</p> <p>93. Punjab National Bank,
B/O : Bareta,
Distt. Mansa,
Bathinda, Punjab.</p> <p>94. Punjab National Bank,
B/O : Bhikhi,
Distt. Mansa,
Bathinda, Punjab.</p> <p>95. Punjab National Bank,
BO : Bhorewal,
Distt. Mansa,
Bathinda,
Punjab.</p> <p>96. Punjab National Bank,
BO : Budhlada,
Distt. Mansa,
Bathinda,
Punjab.</p> <p>97. Punjab National Bank,
BO : Hiron Kalan,
Distt. Mansa,
Bathinda,
Punjab.</p> <p>98. Punjab National Bank,
BO : Kulrian,
Distt. Mansa,
Bathinda,
Punjab.</p> | <p>99. Punjab National Bank,
BO : Mansa,
Distt. Mansa,
Bathinda,
Punjab.</p> <p>100. Punjab National Bank,
BO : Reond Kalan (Madhanian),
Distt. Mansa,
Bathinda,
Punjab.</p> <p>101. Punjab National Bank,
BO : Sardulgarh,
Distt. Mansa,
Bathinda,
Punjab.</p> <p>102. Punjab National Bank,
BO : Ahmedgarh Mandi,
Distt. Sangrur,
Bathinda,
Punjab.</p> <p>103. Punjab National Bank,
BO : Amargarh,
Distt. Sangrur,
Bathinda,
Punjab.</p> <p>104. Punjab National Bank,
BO : Barhnala Main,
Distt. Sangrur,
Bathinda,
Punjab.</p> <p>105. Punjab National Bank,
BO : Handiaya Bazar,
Baranala,
Distt. Sangrur,
Bathinda,
Punjab.</p> <p>106. Punjab National Bank,
BO : Bhutal Kalan,
Distt. Sangrur,
Bathinda,
Punjab.</p> <p>107. Punjab National Bank,
BO : Chathe Nanhera,
Distt. Sangrur,
Bathinda,
Punjab.</p> <p>108. Punjab National Bank,
BO : Dhadrian,
Distt. Sangrur,
Bathinda,
Punjab.</p> <p>109. Punjab National Bank,
BO : Dhuri Main,
Distt. Sangrur,
Bathinda,
Punjab.</p> |
|---|---|

- | | |
|---|---|
| 110. Punjab National Bank,
BO : Loha Bazar,
Dhuri,
Distt. Sangrur,
Bathinda,
Punjab. | 121. Punjab National Bank,
BO : Sherpur,
Distt. Sangrur,
Bathinda,
Punjab. |
| 111. Punjab National Bank,
BO : Dhanaula,
Distt. Sangrur,
Bathinda,
Punjab. | 122. Punjab National Bank,
BO : Sunam,
Distt. Sangrur,
Bathinda,
Punjab. |
| 112. Punjab National Bank,
BO : Hariyoo (Gaga),
Distt. Sangrur,
Bathinda,
Punjab. | 123. Punjab National Bank,
BO : Tallewal,
Distt. Sangrur,
Bathinda,
Punjab. |
| 113. Punjab National Bank,
BO : Kanganwal,
Distt. Sangrur,
Bathinda,
Punjab. | 124. Punjab National Bank,
BO : Tapa Mandi,
Distt. Sangrur,
Bathinda,
Punjab. |
| 114. Punjab National Bank,
BO : Longowal,
Distt. Sangrur,
Bathinda,
Punjab. | 125. Punjab National Bank,
BO : Thikriwala,
Distt. Sangrur,
Bathinda,
Punjab. |
| 115. Punjab National Bank,
BO : Malerkotla Main,
Distt. Sangrur,
Bathinda,
Punjab. | 126. Punjab National Bank,
IBB, The Mall,
Amritsar-143001 |
| 116. Punjab National Bank,
BO : Sadar Bazar,
Malerkotla,
Distt. Sangrur,
Bathinda,
Punjab. | 127. Punjab National Bank,
Akali Market,
Amritsar-143001. |
| 117. Punjab National Bank,
BO : Maur Nabha,
Distt. Sangrur,
Bathinda,
Punjab. | 128. Punjab National Bank,
Putlighar,
Amritsar-143001. |
| 118. Punjab National Bank,
BO : Sandhera,
Distt. Sangrur,
Bathinda,
Punjab. | 129. Punjab National Bank,
Hall Bazar,
Amritsar-143001. |
| 119. Punjab National Bank,
BO : Main Sangrur,
Distt. Sangrur,
Bathinda,
Punjab. | 130. Punjab National Bank,
Basant Avenue,
Amritsar-143001. |
| 120. Punjab National Bank,
BO : Court Road,
Distt. Sangrur,
Bathinda,
Punjab. | 131. Punjab National Bank,
Batala Road,
Amritsar-143001. |
| | 132. Punjab National Bank,
Hansli Bazar,
Amritsar-143001. |
| | 133. Punjab National Bank,
Jallianwala Bagh,
Amritsar-143001. |
| | 134. Punjab National Bank,
Katra Ahluwalia,
Amritsar-143001. |

- | | |
|--|--|
| 135. Punjab National Bank,
SSI, The Mall,
Amritsar-143001. | 151. Punjab National Bank,
Vill. Basarke Gillan,
Distt. Amritsar-143105. |
| 136. Punjab National Bank,
Mewa Mandi,
Amritsar-143001. | 152. Punjab National Bank,
Vill. Butala,
Distt. Amritsar-143203. |
| 137. Punjab National Bank,
Majith Mandi,
Amritsar-143001. | 153. Punjab National Bank,
Udhonangal,
Chowk Mehta,
Distt. Amritsar-143114. |
| 138. Punjab National Bank,
Pratap Steel,
Amritsar-143001. | 154. Punjab National Bank,
Vill. Chamari,
Distt. Amritsar-143103. |
| 139. Punjab National Bank,
Sultanwind Road,
Amritsar-143001. | 155. Punjab National Bank,
Vill. Chetanpura,
Distt. Amritsar-143606. |
| 140. Punjab National Bank,
Katra Bhai Sant Singh,
1297/X-V,
PO : Hindu Sabha College,
Amritsar-143001. | 156. Punjab National Bank,
Vill. Chabhal,
Distt. Amritsar-143301. |
| 141. Punjab National Bank,
Naraingarh,
Amritsar-143105. | 157. Punjab National Bank,
Vill. Dhulka,
Teh. Baba Bakala,
PO Khilchian,
Distt. Amritsar-143111. |
| 142. Punjab National Bank,
RCC, Jallianwala Bagh,
Amritsar-143001. | 158. Punjab National Bank,
Vill. Fatehabad,
Distt. Amritsar-143407. |
| 143. Punjab National Bank,
Industrial Focal Point,
Amritsar-143001. | 159. Punjab National Bank,
Vill. Sarai Amanat Khan,
Distt. Amritsar-143414. |
| 144. Punjab National Bank,
Ghee Mandi,
Amritsar-143001. | 160. Punjab National Bank,
Vill. Gharyala,
Distt. Amritsar-143421. |
| 145. Punjab National Bank,
Regional Office,
McLeod Road,
Opp. St. Francis School,
Amritsar-143001. | 161. Punjab National Bank,
Vill. Goindwal,
PO Fatehabad,
Distt. Amritsar-143407. |
| 146. Punjab National Bank,
Jandiāla Guru,
Distt. Amritsar-143115. | 162. Punjab National Bank,
Vill. Jaintipur,
Distt. Amritsar-143001. |
| 147. Punjab National Bank,
Patti,
Amritsar-143416. | 163. Punjab National Bank,
Mallian,
Camp. Tarn Taran,
Distt. Amritsar-143301. |
| 148. Punjab National Bank,
Tarn Taran,
Distt.
Amritsar-143401. | 164. Punjab National Bank,
Vill. Kaleke,
PO Khilchian,
Distt. Amritsar-143111. |
| 149. Punjab National Bank,
Ajnala,
Distt. Amritsar-143102. | 165. Punjab National Bank,
Vill. Kathunangal,
Distt. Amritsar-143502. |
| 150. Punjab National Bank,
Vill. Algon Kothi,
Distt. Amritsar-143419. | 166. Punjab National Bank,
Vill. Khasa,
Distt. Amritsar-143107. |

- | | |
|---|---|
| 167. Punjab National Bank,
Vill. Khemkaran,
Distt. Amritsar-143419. | 179. Punjab National Bank,
Talwadi Rai Dadu,
Camp Ajnala,
Distt. Amritsar-143102. |
| 168. Punjab National Bank,
Vill. Kot Mohd. Khan,
PO Dhotian,
Distt. Amritsar-143411. | 180. Punjab National Bank,
Vill. Tarsikka,
Distt. Amritsar-143116. |
| 169. Punjab National Bank,
Vill. Kot Dharam Chand,
Teh. Tarn Taran,
PO Chabhal,
Distt. Amritsar-143301. | 181. Punjab National Bank,
Vill. Adda Daburji,
Teh. Tarn Taran,
Distt. Amritsar-143401. |
| 170. Punjab National Bank,
Vill. Kallah,
Teh. Tarn Taran,
Distt. Amritsar-143406. | 182. Punjab National Bank,
Vachhoya,
Camp. Adda Dayal Bharang,
Distt. Amritsar-143606. |
| 171. Punjab National Bank,
Vill. Naushahra Pannuan,
Distt. Amritsar-143409. | 183. Punjab National Bank,
Wadala Viram,
Camp Majitha,
PO Chetanpura,
Distt. Amritsar-143606. |
| 172. Punjab National Bank,
Vill. Minhala Jai Singh,
Distt. Amritsar. | 184. Punjab National Bank,
Vill. Warraich,
Distt. Amritsar-143204. |
| 173. Punjab National Bank,
Vill. Raja Sansi,
Distt. Amritsar-143101. | 185. Punjab National Bank,
Katra Jaimal Singh,
Amritsar-143001. |
| 174. Punjab National Bank,
Vill. Raja Tal,
PO Attari,
Distt. Amritsar-143108. | 186. Punjab National Bank,
Queens Road,
Amritsar-143001. |
| 175. Punjab National Bank,
Vill. Rasulpur Kalan,
Distt. Amritsar-143113. | 187. Punjab National Bank,
Tunda Talab,
Amritsar-143001. |
| 176. Punjab National Bank,
Rayya,
Distt. Amritsar-143112. | 188. Punjab National Bank,
Kot Khalasa,
Amritsar-143001. |
| 177. Punjab National Bank,
Vill. Sathiala,
Distt. Amritsar-143205. | 189. Punjab National Bank,
Kot Mit Singh,
Amritsar-143001. |
| 178. Punjab National Bank,
Vill. Bhalla Pind,
Teh. Ajnala,
Distt. Amritsar-143102. | 190. Punjab National Bank,
Majitha Road,
Amritsar-143001. |

- | | |
|--|--|
| 191. Punjab National Bank,
Amritsar Cantt.,
Amritsar-143001. | 203. Punjab National Bank,
B/O Lohardage,
Distt. Lohardaga,
Bihar. |
| 192. Punjab National Bank,
Green Avenue,
Amritsar-143001. | 204. Punjab National Bank,
B/O Garhwa,
Distt. Garhwa,
Bihar. |
| 193. Punjab National Bank,
Railway Road, Patti,
Distt. Amritsar-143416. | 205. Punjab National Bank,
BO : Sanskar Mandal,
Distt. Talaji Road,
Bhavnagar,
Gujarat. |
| 194. Punjab National Bank,
Chowk Bohri Wala,
Tarn Taran,
Amritsar-143001. | 206. Punjab National Bank,
Lead Distt. Manager Office
Fatehabad,
Distt. Fatehabad. |
| 195. Punjab National Bank,
Vill. Nagkalan,
PO Chetanpura,
Distt. Amritsar-143606. | 207. Punjab National Bank,
BO : J.V.M.G.R.R.,
Charkhidadri. |
| 196. Punjab National Bank,
Vill. GT Road,
Rayya,
Distt. Amritsar-143112. | 208. Punjab National Bank,
BO : Village Dehra,
Tehsil Dehra,
Distt. Kangra-177101. |
| 197. Punjab National Bank,
Vill. Jamarai,
PO Dhotian,
Distt. Amritsar-143411. | 209. Punjab National Bank,
BO : Shambhu Dayal Modern School,
Gohana Road,
Sonapat-131001. |
| 198. Punjab National Bank,
Vill. Rooriwala,
(Chohla Sahib),
PO Fatehbad,
Distt. Amritsar-143407. | 210. Punjab National Bank,
BO : Barmer,
Reeko Industrial Area,
Distt. Barmer,
Rajasthan. |
| 199. Punjab National Bank,
Vill. Sarhali Kalan,
Distt. Amritsar. | 211. Punjab National Bank,
BO : Gopi Ganj,
Distt. Bhadohi,
Uttar Pradesh. |
| 200. Punjab National Bank,
DAV College,
Amritsar-143001. | 212. Punjab National Bank,
BO : Bhikharipur,
Distt. Varanasi (U.P.). |
| 201. Punjab National Bank,
Lawrence Road,
Amritsar-143001. | |
| 202. Punjab National Bank,
RSDC,
Jallianwala Bagh,
Amritsar-143001. | |

नई दिल्ली, 25 जून, 1999

का.प्रा. 1943—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की संस्तुति पर एतद्वारा घोषणा करती है कि बैंककारी विनियमन (सहकारी समितियाँ) नियम, 1966 के नियम 10 के साथ पठित उक्त अधिनियम की धारा 31 के उपबंध दि बलुस्सेरी सहकारी बैंक लि., बलुस्सेरी पर उस सीमा तक लागू नहीं होंगे जहां तक उनका संबंध 31 मार्च, 1998 को समाप्त वर्ष के लिये लेखा परीक्षक की रिपोर्ट के साथ-साथ उनके तुलन पत्र और लाभ-हानि लेखे के समाचार पत्र में प्रकाशित करने से है।

[फा.सं. 1(7)/99-ए. सी.]

एस. के. ठाकुर, अवर सचिव

New Delhi, the 25th June, 1999

S.O. 1943.—In exercise of the powers conferred by Section 53 read with Section 56 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government on the recommendation of Reserve Bank of India hereby declares that the provisions of Section 31 of the said Act read with Rule 10 of the Banking Regulation (Cooperative Societies) Rules, 1966 shall not apply to the Balusseri Co-operative Bank Ltd., Balusseri, in so far as they relate to the publication of their balance sheet and profit and loss account for the year ended 31st March, 1998 with the auditor's report in the newspaper.

[No. 1(7)/99-AC]

S. K. THAKUR, Under Secy.

नई दिल्ली, 25 जून, 1999

का.प्रा. 1944—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर घोषणा करती है कि उक्त अधिनियम की धारा 11 की उपधारा

(1) के उपबंध सरकारी राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से 31 मार्च, 2003 तक दि जिला सहकारी केन्द्रीय बैंक मर्यादित, खांडवा (मध्य प्रदेश) पर लागू नहीं होंगे।

[फाइल सं. 1(9)/99-ए. सी.]

एस. के. ठाकुर, अवर सचिव

New Delhi, the 25th June, 1999

S.O. 1944.—In exercise of the powers conferred by Section 53 read with Section 56 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government on the recommendations of the Reserve Bank of India declares that the provisions of sub-section(1) of Sec. 11 of the said Act shall not apply to the Jila Sahakari Kendriya Bank Maryadit, Khandwa (Madhya Pradesh) from the date of publication of this notification in the Official Gazette to 31 March, 2003.

[F. No. 1(9)/99-AC]

S. K. THAKUR, Under Secy.

नई दिल्ली, 25 जून, 1999

का.प्रा. 1945—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर घोषणा करती है कि उक्त अधिनियम की धारा 11 की उपधारा (1) के उपबंध सरकारी राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से 31 मार्च, 2001 तक दि जयपुर मध्यवर्ती सहकारी बैंक लि., जयपुर (राजस्थान) पर लागू नहीं

[फाइल सं. 1/10/99-ए.सी.]

एस. के. ठाकुर, अवर सचिव

New Delhi, the 25th June, 1999

S.O. 1945.—In exercise of the powers conferred by Section 53 read with Section 56 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government on the recommendations of the Reserve Bank of India declares that the provisions of

sub-section (1) of Section 11 of the said Act shall not apply to the Jaipur Central Cooperative Bank Ltd., Jaipur (Rajasthan) from the date of publication of this notification in the Official Gazette to 31 March, 2001.

[F. No. 1(10)/99-AC]
S. K. THAKUR, Under Secy.

वाणिज्य मंत्रालय

नई दिल्ली, 10 मई, 1999

का.अ. 1946 :—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उपनियम (4) के अनुसरण में वाणिज्य मंत्रालय के अन्तर्गत आने वाले निम्नलिखित कार्यालयों को अधिसूचित करती है, जिनके 80 % से अधिक कर्मचारीवृन्द ने हिन्दी का कार्य-साधक ज्ञान प्राप्त कर लिया है :—

1. पी ई सी लिमिटेड, शाखा कार्यालय,
फ्लैट नं० एच-302
इन्द्रप्रस्थ टावर,
गुरुकुल
ड्राइव-इन-रोड,
अहमदाबाद।
2. पी ई सी लिमिटेड, शाखा कार्यालय,
8/3, पर्सन टावर-2 (आठवां तल),
पान्थियान रोड,
एगमोर,
चेन्नई-600008।

[सं. ई.-11013/1/93-हिन्दी]

रामकुमार कलोरिया, निवेशक/राजभाषा

MINISTRY OF COMMERCE

New Delhi, the 10th May, 1999.

S.O. 1946.—In pursuance of Sub-Rule (4) of Rule 10 of the Official Language (Use for Official purpose of the Union), Rules, 1976, the Central Government hereby notifies the following Offices under the Ministry of Commerce whereof more than 80 per cent staff have acquired working knowledge of Hindi :—

80 per cent staff have acquired working knowledge of Hindi :—

1. PEC Limited, Branch Office,
Flat No. H-302,
Indraprasth Tower,
Gurukul,
Drive-in-Road,
Ahmedabad.
2. PEC Limited, Branch Office,
8/3, Person Tower-2 (8th Floor),
Panthiyan Road,
Egmore,
Chennai 600008.

[No. E-11013/1/93-Hindi]

R. K. CALORIYA, Director (O.L.)

रसायन और उर्वरक मंत्रालय
(उर्वरक विभाग)

नई दिल्ली, 11 जून, 1999

का.अ. 1947 :—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के उपनियम (4) के अनुसरण में रसायन एवं उर्वरक मंत्रालय, उर्वरक विभाग के प्रशासनिक नियंत्रण में आने वाले निम्नलिखित कार्यालय को, जिनके 80 % से अधिक कर्मचारीवृन्द ने हिन्दी का कार्यसाधक ज्ञान प्राप्त किया है, अधिसूचित करती है :

फर्टिलाइजर कॉर्पोरेशन ऑफ इंडिया लिमिटेड, जोधपुर मार्किनिंग संस्थान, जोधपुर।

[सं. ई.-11011/5/93-हिन्दी]

नरेन्द्र कुमार अग्रवाल, अतिरिक्त औद्योगिक सलाहकार

MINISTRY OF CHEMICALS & FERTILIZERS

(Department of Fertilizers)

New Delhi, the 11th June, 1999

S.O. 1947.—In pursuance of Sub-Rule (4) of the Rule 10 of the Official Language "Use for official purposes of the Union" Rule, 1976 the Central Govt. hereby notifies the following office, under the Administrative Control of Ministry of Chemicals & Fertilizers, Department of Fertilizers, more than 80 per cent staff whereof have acquired the working knowledge of Hindi.

Fertilizer Corporation of India Limited,
Jodhpur Mining Organisation,
Jodhpur.

[No. E-11011/5/93-Hindi]

NARENDER KUMAR AGGARWAL,
Addl. Industrial Adviser

नगर विमानन मंत्रालय

नई दिल्ली, 24 जून, 1999

का.आ. 1948—भारतीय विमानपत्तन प्राधिकरण अधिनियम, 1994 (1994 का 55) के खंड 3 में प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार एतद्वारा श्री सनत कौल, संयुक्त सचिव को भारतीय विमानपत्तन प्राधिकरण के निदेशक मंडल में अंशकालिक सदस्य के रूप में श्री आशा पाल सिंह के स्थान पर नियुक्त करती है।

[संख्या एवी-24015/5/94-वी.बी.]

पी. एस. राधाकृष्ण, अवर सचिव

MINISTRY OF CIVIL AVIATION

New Delhi, the 24th June, 1999

S.O. 1948.—In exercise of the powers conferred by Section 3 of the Airports Authority of India Act, 1994 (55 of 1994), the Central Government hereby appoints Shri Sanat Kaul, Joint Secretary as part-time Member on the Board of Airports Authority of India vice Shri A.P. Singh.

[No. AV-24015/5/94-VB]

P. S. RADHAKRISHNA, Under Secy.

शहरी विकास मंत्रालय

(दिल्ली प्रभाग)

नई दिल्ली, 29 जून, 1999

का.आ. 1949—दिल्ली नगर निगम द्वारा उनका चुनाव होने के परिणाम स्वरूप केन्द्र सरकार, दिल्ली विकास अधिनियम, 1957 (1957 का 61) के खंड 3 के उपखंड (3) की धारा (ई) के साथ पठित उपखंड (1) के प्रावधानों के अनुसार एतद्वारा श्री पृथ्वी राज चन्द, पार्षद को श्री महाबल मिश्रा, पार्षद, जिन्होंने विधान सभा सदस्य चुने जाने पर पार्षद पद से त्याग पत्र दे दिया है, के स्थान पर तत्काल दिल्ली विकास प्राधिकरण का सदस्य नामित करती है।

[सं. के-11011/24/97-बीडीआईए]

बी. के. मिश्रा, अवर सचिव

MINISTRY OF URBAN DEVELOPMENT

(Delhi Division)

New Delhi, the 29th June, 1999

S.O. 1949.—Pursuant to his election by the Municipal Corporation of Delhi, the Central Government in accordance with the provisions of sub-section (1), read with clause (e) of sub-section (3) of Section 3 of the Delhi Development Act, 1957 (61 of 1957), hereby nominates Shri Prithvi Raj Chand, Councillor as Member of the Delhi Development Authority with immediate effect vice Shri Mahabal Mishra, Councillor, who resigned from the Councillorship on his being elected as M.L.A.

[No. K-11011/24/97-DDIA]

V. K. MISRA, Under Secy.

संचार मंत्रालय

(दूरसंचार विभाग)

(राजभाषा अनुभाग)

नई दिल्ली, 15 जून, 1999

का.आ. 1950 :—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग (नियम 1976 के नियम 10(4) के अनुसरण में संचार मंत्रालय, दूरसंचार विभाग के प्रशासनिक नियंत्रणाधीन निम्नलिखित कार्यालय को जिसमें 80 % से अधिक कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, एतद्वारा अधिसूचित करती है।

मुख्य महाप्रबन्धक दूरसंचार, कर्नाटक परिमंडल, बेंगलूर
महाप्रबन्धक दूरसंचार (पश्चिम) हुबली क्षेत्र, हुबली

[सं. ई-11016/1/99-सी एल]

श्रीमती कैलाश दुत्ता, उप-निदेशक (राजभाषा)

MINISTRY OF COMMUNICATIONS

(Department of Telecommunications)

(Official Language Section)

New Delhi, the 15th June, 1999

S.O. 1950.—In pursuance of rule 10(4) of the Official Language (use for official purposes of the Union), rules, 1976 the Central Government hereby notifies following Office under the administrative control of Ministry of Communications, Department of Telecommunications whereof more than 80 per cent staff have acquired working knowledge of Hindi.

Chief General Manager Telecom.

Karnataka Circle, Bangalore.

General Manager Telecom. (West)

Hubli Area, Hubli.

[No. E. 11016/1/99-CL]

SMT. KAJLASH DUTTA, Dy. Director (O.L.)

खाद्य और उपभोक्ता मामले मंत्रालय

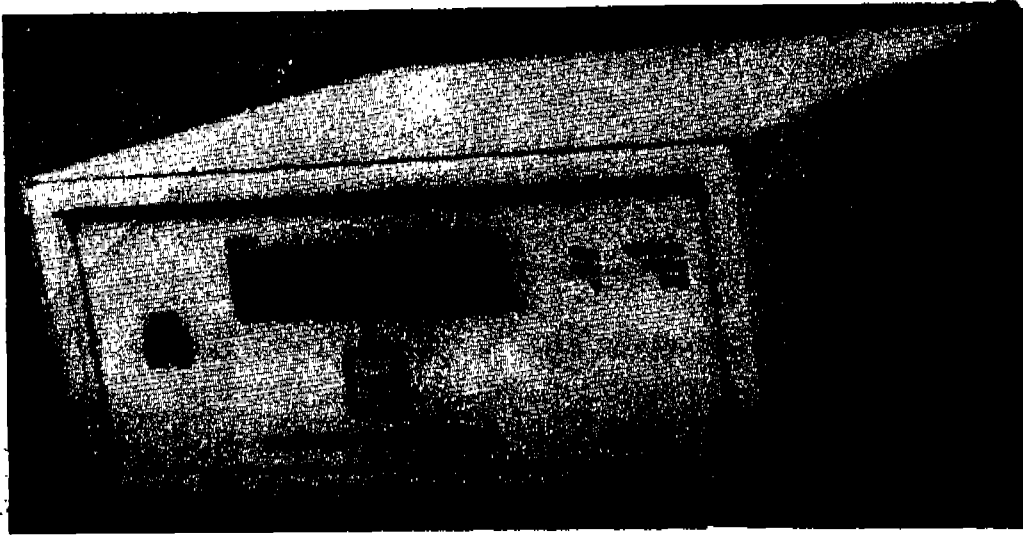
(उपभोक्ता मामले विभाग)

नई दिल्ली, 25 जून, 1999

का.आ. 1951.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत की गई रिपोर्ट पर विचार करने के पश्चात्, समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (आकृति नीचे दी गई) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और संभावना यह है कि अविरत उपयोग की अवधि में भी उक्त माडल यथार्थता बनाए रखेगा और परिवर्तित दशाओं में उपयुक्त सेवा करता रहेगा;

अतः, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, वर्ग III यथार्थता (मध्यम यथार्थता) वाली "डब्ल्यू बी सी" शृंखला की अंकक प्रदर्शन सहित अस्थचालित तोलन उपकरण (तुला चौकी की संपरिवर्तन स्टेट के मॉडल का जिसे इसमें इसके पश्चात् माडल कहा गया है, जिसके ब्रांड का नाम "एम सी एस" है और जिसका विनिर्माण मैसर्स माइक्रो कंट्रोल सिस्टम 9/550 (4ए), सर्वोदय नगर, इचलकरजी-416 115 द्वारा किया गया है और जिसे अनुमोदन चिह्न आई एन डी/09/99/13 समनुदेशित किया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह माडल मध्यम यथार्थता (यथार्थता वर्ग III) का अंकक प्रदर्शन सहित अस्थचालित तोलन उपकरण है, जिसकी अधिकतम क्षमता 30 टन और न्यूनतम क्षमता 100 किलोग्राम है। स्थापन मापमान अन्तराल (ई) 5 किलोग्राम है। प्रदर्शन इकाई तरल उत्सर्जन डायोड प्रकार है। उपकरण 220 वोल्ट और 50 हर्ट्ज आवृत्ति पर प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आगे, अब, केन्द्रीय सरकार, उक्त धारा की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि माडल के अनुमोदन के इस प्रमाणपत्र के इस प्रमाणपत्र के अंतर्गत उसी शृंखला उसी मेक, यथार्थता और कार्यकरण वाला ऐसा तोलन उपकरण भी होगा, जिसका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उमी सामग्री से किया जाता है, जिसमें अनुमोदित माडल का विनिर्माण किया गया है, और जिसके स्थापन मापमान का अन्तराल (एन) की अधिकतम संख्या 10,000 (एन $\leq 10,000$) तक जिसका "ई" मान 1×10^{-1} , 2×10^{-1} और 5×10^{-1} के है, के घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा. सं. डब्ल्यू एम-21(33)/97]

पी. ए. कुण्डमूर्ति, निदेशक, विधिक माप विज्ञान

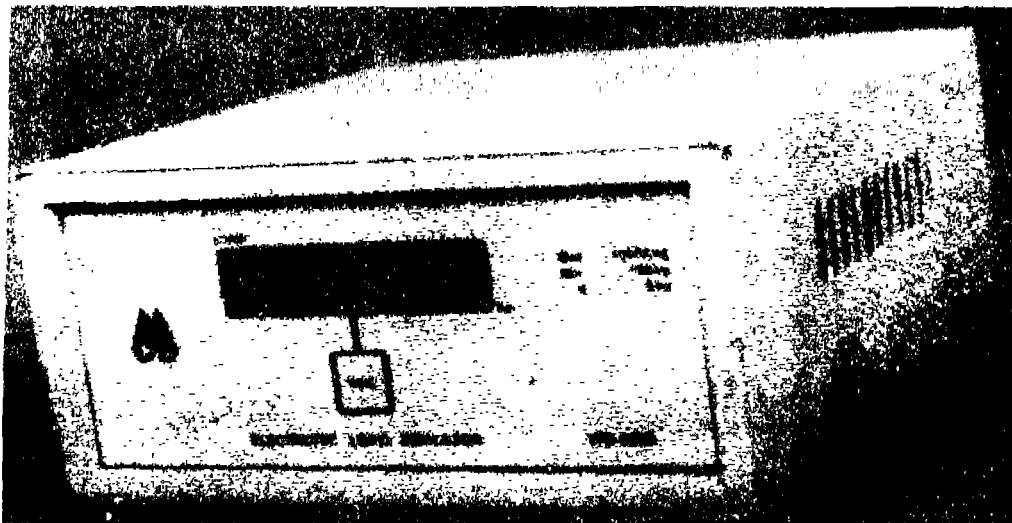
MINISTRY OF FOOD AND CONSUMER AFFAIRS**(Department of Consumer Affairs)**

New Delhi, the 25th June, 1999

S.O. 1951.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see figure) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of model of non-automatic weighing instrument (Conversion kit for weighbridge) with digital indication (hereinafter referred to as the Model) of 'WBC' series belonging to medium accuracy class (Accuracy class III) and with brand name 'MCS', manufactured by M/s. Micro Control System, 9/550, (4A), Sarvodaya Nagar, Ichalkaranji-416 115 and which is assigned the approval mark IND/09/99/13;

The model is a non-automatic weighing instrument with digital indication of maximum capacity 30 tonne and minimum capacity of 100 kg and belonging to Medium accuracy class (accuracy class III). The value of verification scale interval (e) is 5 kg. The display unit is of Light Emitting Diode (LED) type. The instrument operates on 220 V, 50 Hertz alternate current power supply;



And further, in exercise of the powers conferred by sub-section (12) of the said section, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of same make, and accuracy class with maximum number of scale interval (n) upto 10,000 ($n \leq 10,000$) and with 'e' value of 1×10^k , 2×10^k and 5×10^k , k being a positive or negative whole number or equal to zero, manufactured by the same manufacturer with the same design and with the same materials with which, the approved Model has been manufactured

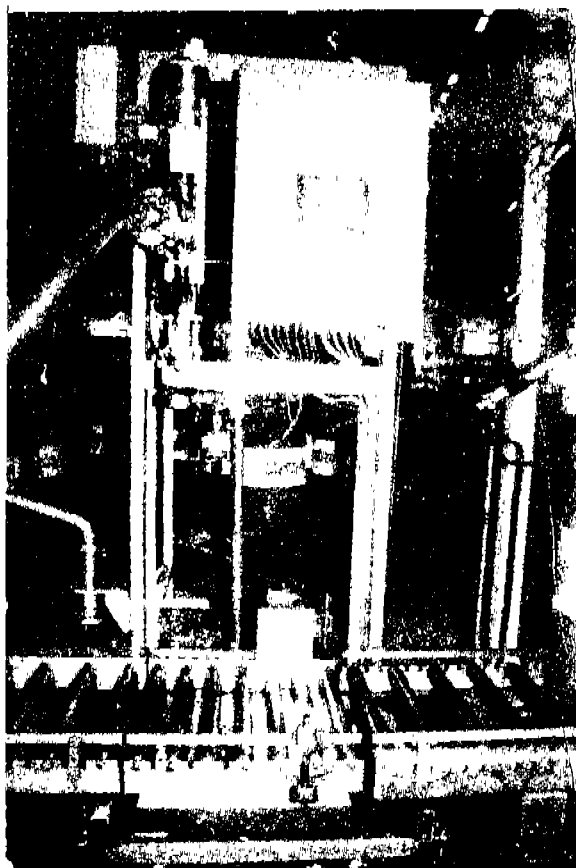
[F. No. WM 21 (33)/97]

P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 26 जून, 1999

का.आ. 1952.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त माडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा करता रहेगा;

अतः, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा 3 और उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, द्रव्य भारत मशीन जिसका ब्रांड का नाम "हेगी" है (जिसे इसमें माडल कहा गया है) जिसका विनिर्माण मैमर्स हेगी गम्पफुल्टैक्निक रोगन 6 ए, 23843 बेंड ओल्डिसले, बर्डेपब्लिक डिप्टमच लैंड, जर्मनी और भारत में मैमर्स केंस्ट्राल इंडिया लिमिटेड स्टाइट हाउस-91 बालेश्वर रोड मुम्बई-400 006 द्वारा किया गया है और जिसे अनुमोदन चिह्न आई एन डी/13/98/190 समनुदेशित किया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।



यह माडल स्वचालित द्रव्य भराई मशीन का है। जिसकी अधिकतम क्षमता 1500 किलोग्राम न्यूनतम क्षमता 25 किलोग्राम है। मशीन की आंशिक तोलन श्रेणी 0-300 किलोग्राम 300-600 किलोग्राम और 600-1500 किलोग्राम जिसके मापमान अन्तराल क्रमशः 0.1 किलोग्राम, 0.2 किलोग्राम 0.5 किलोग्राम है।

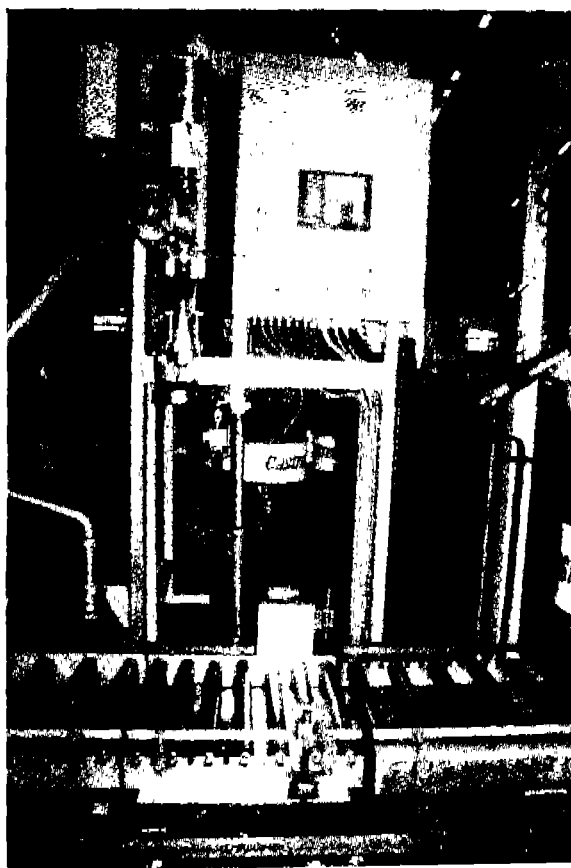
[का. सं. डब्ल्यू एम-21(67)/96]

पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 26th June, 1999

S.O. 1952.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, along with the model approval and test results, granted and approved by the National Weights and Measures Laboratory, Department of Trade and Industry, Middlesex, England is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions:

Now, therefore, in exercise of the powers conferred by the third proviso to sub-section (3) and sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of Model in respect of an liquid filling machines of "Feige" make (herein referred to as the Model) manufactured by M/s. Feige Graphabfulttechnik Rogen 6a, 23843 Bad Oldesloe, Bundesrepublik Deutschland, Germany and used in India by M/s. Castrol India limited, White House, 91, Walkeswar Road, Mumbai-400 006 and which is assigned the approval of Model mark IND/13/98/190



The Model is a Automatic liquid filling machine. The maximum capacity of 1500 kg. The minimum capacity is 25 Kg. The machine has a partial weighing ranges of 0—300 kg, 300—600 kg, and 600—1500 kg, with scale interval of 0.1 kg, 0.2 kg, 0.5 kg, respectively.

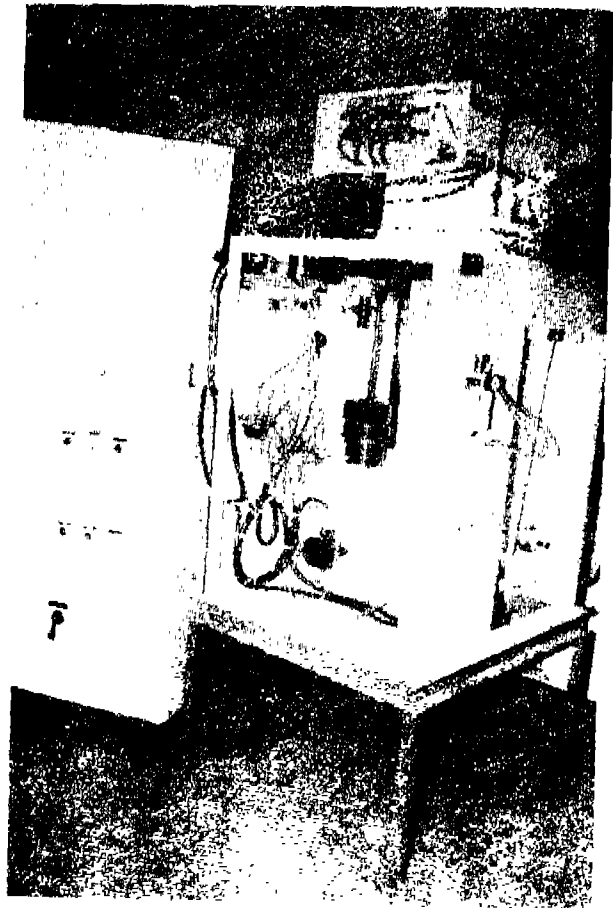
[F. No. WM 21 (67)/96]

P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 26 जून, 1999

का.आ. 1953.—केन्द्रीय सरकार को, विहित प्राधिकारी द्वारा उसे प्रस्तुत की गई रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त माडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा करता रहेगा;

अतः, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, वैद्युत यांत्रिक स्वचालित और वस्तु तोलन मशीन के माडल का "ई ई-50" शृंखला की है (जिसे इसमें इसके पश्चात् माडल कहा गया है) और जिसका विनिर्माण मैसर्स रोड मेडवे पैकिंग कम्पनी आफ इंडिया प्राइवेट लिमिटेड, प्लॉट सं. 5 ई, सेक्टर-4, बल्लभगढ़, हरियाणा द्वारा किया गया है और जिसे अनुमोदन चिह्न आई एन डी/09/98/191 समनुदेशित किया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।



यह माडल (आकृति देखें) स्वचालित भारण युक्ति और यांत्रिक संयंत्र उक्त स्वचालित तोलन और वोल्यूमेट्रिक मशीन का है जो कि सूक्ष्म संसाधित्र पर आधारित नियंत्रण से नियंत्रित है। जिसकी अधिकतम क्षमता 100 किलोग्राम और न्यूनतम क्षमता 5 किलो ग्राम है। डायल प्रकार के प्रदर्श तोलन परिणाम उपदर्शित करता है। मशीन 230 वोल्ट और 50 हर्टज आवृत्ति की प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। मशीन सभी प्रकार के ठोस उत्पादों जैसे कि खाद्य रसायन प्लास्टिक चिप आदि के मापन के लिए उपयोग में लायी जा सकेगी।

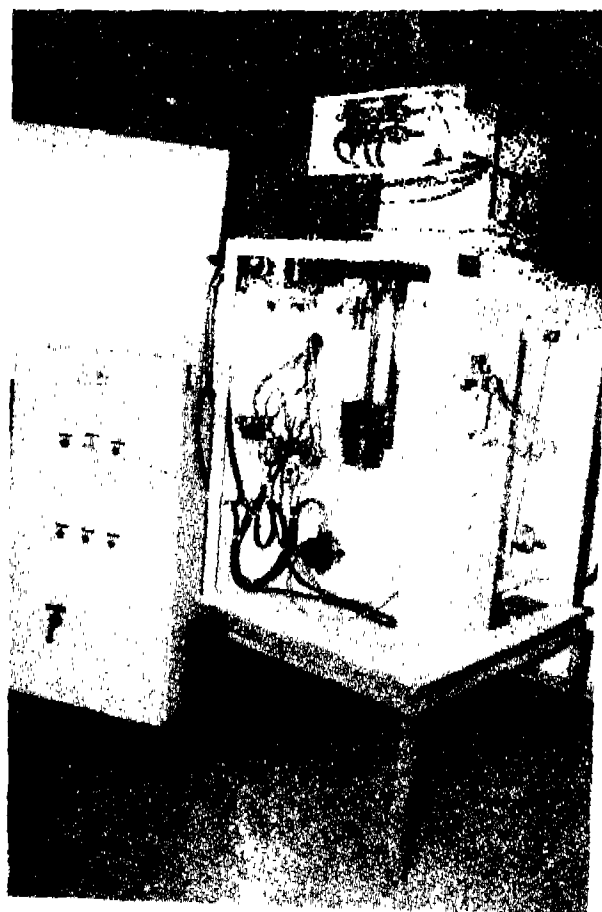
[फा. सं. डब्ल्यू एम-21(79)/96]

पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 26th June, 1999

S.O. 1953.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of the Electro Mechanical Automatic bagging weighter machine of type "EE-50" series (herein referred to as the model) manufactured by M/s Reed Medway Packing Company of India Private Limited, Plot No. 5E, Sector-4, Ballabgarh (Haryana), and which is assigned the approval of Model mark IND/09/98/191.



The said model is an automatic weighting and bagging machine incorporated with automatic loading device and mechanical feed, controlled by micro-processor based controller. The maximum capacity is 100 kg and minimum capacity is 5kg. The dial type indication gives the weightment results. The machine works on single phase 230 volts or three phase 440 Volts, at a frequency of 50 Hertz. The machine is used for measuring all solid products, such as fertilisers, chemicals, plastic chips, etc.

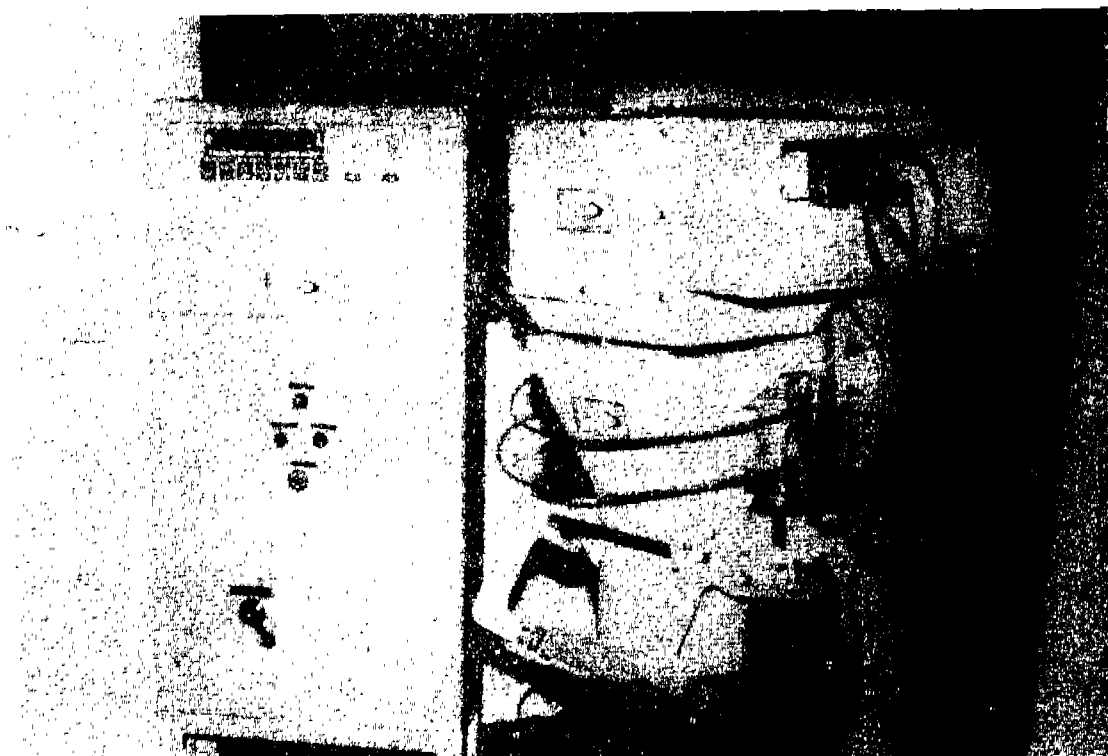
[F No. WM-21 (79)/96]

P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 26 जून, 1999

का.आ. 1954.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त माडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा करता रहेगा;

अतः, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, वैद्युत यांत्रिक बोरावस्त्र तोलन मशीन के माडल का "एच 178" शृंखला का है (जिसमें इसमें इसके पश्चात् माडल कहा गया है) और जिसका विनिर्माण मैसर्स रोड मेडवे पैकिंग कम्पनी आफ इंडिया प्राइवेट लिमिटेड, प्लॉट सं. 5 ई, सेक्टर-4, बल्लभगढ़, हरियाणा द्वारा किया गया है और जिसे अनुमोदन चिह्न आई एन डी/09/98/192 समनुदेशित किया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।



यह माडल (आकृति देखें) स्वचालित भारण युक्ति और यांत्रिक संभरण उक्त स्वतन्त्रचालित तोलन और बोरावस्त्र मशीन का है जो कि सूक्ष्म संसाधित्र पर आधारित नियंत्रण से नियंत्रित है। जिसकी अधिकतम क्षमता 100 किलोग्राम और न्यूनतम क्षमता 5 किलो ग्राम है। डायल प्रकार के प्रदर्श तोलन परिणाम उपदर्शित करता है। मशीन 230 वॉल्ट और 50 हर्ट्ज आवृत्ति की प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। मशीन सभी प्रकार के ठोस उत्पादों जैसे कि खाद्य, रसायन, प्लास्टिक चिप आदि के मापन के लिए उपयोग में लायी जा सकती है।

[फा. सं. डब्ल्यू एम-21(79)/96]

पी. ए. कृष्णभूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 26th June, 1999

S.O. 1954.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions,

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of the Electro Mechanical Automatic bagging weighing machine of type "H-17E" series (herein referred to as the model) manufactured by M/s Reed Medway Packing Company of India Private Limited, Plot No. 5E, Sector-4 Ballabgarh (Haryana), and which is assigned the approval of mark IND/09/98/192.



The said model is an automatic weighing and bagging machine incorporated with automatic loading device and mechanical feed, controlled by micro-processor based controller. The maximum capacity is 100 kg and minimum capacity is 5kg. The dial type indication gives the weighing results. The machine works on single phase 230 volts or three phase 440 volts, at a frequency of 50 Hertz. The machine is suitable for weighing of bulk products such as fertilisers, chemicals, plastic chips, etc.

[F No WM-21 (79)/96]

J. RISHNANKWORTHY, Director, Legal Metrology

नई दिल्ली, 2 जुलाई, 1999

का.आ. 1955.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत की गई रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त माडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा करता रहेगा;

अतः, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, वर्ग III यथार्थता (मध्यम यथार्थता) वाली "नवयुग इंटर प्राइजेज" शृंखला की स्वतःसूचक, अस्वचालित, इलेक्ट्रॉनिक, अंकक मेजतल तोलन मशीन के माडल का जिसके ब्रांड का नाम "नवयुग इंटर प्राइजेज" है (जिसे इसमें इसके पश्चात् माडल कहा गया है) और जिसका विनिर्माण मैसर्स नवयुग इंटर प्राइजेज, पोपट भोगा स्ट्रीट के सामने, एस पी रोड, सावर कुंडला-364515 द्वारा किया गया है और जिसे अनुमोदन चिह्न आई एन डी/09/98/149 समनुदेशित किया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह माडल (आकृति देखें) मध्यम यथार्थता (यथार्थता वर्ग III) का तोलन उपकरण है, जिसकी अधिकतम क्षमता 20 किलोग्राम और न्यूनतम क्षमता 40 ग्राम है। सत्यापन मापमान अन्तराल (ई) 2 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। भार ग्राही आयताकार है जिसकी भुजाएं 250×350 मिलीमीटर हैं। तरल क्रिस्टल प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज आवृत्ति की प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि माडल के इस अनुमोदन प्रमाणपत्र के अंतर्गत उसी शृंखला, उसी मेक, यथार्थता और कार्यकरण वाला ऐसा तोलन उपकरण भी होगा, जिसका विनिर्माण उसी विनिर्माता द्वारा उसी डिजाइन और उसी सामग्री से किया जाता है, जिससे अनुमोदित माडल का विनिर्माण किया गया है, और जिसके सत्यापन मापमान का अन्तराल (एन) की अधिकतम संख्या 10,000 (एन $\leq 10,000$) से कम या उसके बराबर है तथा जिसका "ई" मान 1, 2, 5 शृंखला का है।

[फा. सं. डब्ल्यू एम-21(87)/97]

पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 2nd July, 1999

S.O. 1955.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of self-indicating, non-automatic, electronic digital table top weighing machine of type "NAVYUG ENTERPRISES" series of class III accuracy (medium accuracy) and with brand name "NAVYUG ENTERPRISES" (hereinafter referred to as model), manufactured by M/s Navyug Enterprises, Opposite Popat Bogha Street, S V Road, Savarkundala-364515 and which is assigned the approval mark IND/09/98/149,

The said model (see the figure) is a medium accuracy (accuracy class III) weighing instrument with a maximum capacity 20 kg and minimum capacity of 40 gm. The verification scale interval (e) is 2 gm. It has a tare device with a 100 percent subtractive retained tare effect. The load receptor is of rectangular section of sides 250 × 350 millimetre. The light emitting diode display indicates the weighing result. The instrument operates on 230 Volts, and frequency 50 Hertz, alternate current power supply.



Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of same make, accuracy and performance of same series with maximum number of verification scale interval (n) less than or equal to 10,000 ($n \leq 10,000$) and with 'e' value of 1, 2 and 5 series manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured

[F. No WM 21 (87)/97]

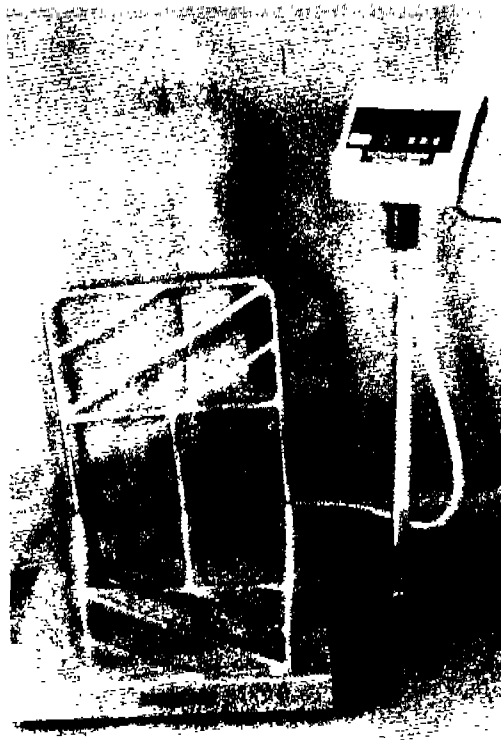
P A KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 2 जुलाई, 1999

का.आ. 1956. —केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत की गई रिपोर्ट पर विचार करने के पश्चात्, समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त माडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा करता रहेगा;

अतः, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, वर्ग III यथार्थता (मध्यम यथार्थता) वाली "नवयुग इंटर प्राइजेज" शृंखला की स्वतःसूचक, अस्म्यचालित, इलेक्ट्रॉनिक, अंकक प्लेटफार्म तोलन मशीन के माडल का जिसके ब्रांड का नाम "नवयुग इंटर प्राइजेज" है (जिसे इसमें इसके पश्चात् माडल कहा गया है) और जिसका विनिर्माण मैसर्स नवयुग इंटर प्राइजेज, पोपट भोगा स्ट्रीट के सामने, एस बी रोड, सावर कुंडला-364515 द्वारा किया गया है और जिसे अनुमोदन चिह्न आई एन डी/09/98/148 समनुदेशित किया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह माडल (आकृति देखें) मध्यम यथार्थता (यथार्थता वर्ग III) का तोलन उपकरण है, जिसकी अधिकतम क्षमता 50 किलोग्राम और न्यूनतम क्षमता 100 ग्राम है। सत्यापन मापमान अन्तराल (ई) 5 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। भार ग्राही आयताकार है जिसकी भुजाएं 350×450 मिलीमीटर हैं। तरल क्रिस्टल प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज आवृत्ति की प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि माडल के इस अनुमोदन प्रमाणपत्र के अंतर्गत उम्मी शृंखला, उम्मी मेक, यथार्थता और कार्यकरण वाला ऐसा तोलन उपकरण भी होगा, जिसका विनिर्माण उम्मी विनिर्माता द्वारा उम्मी डिजाइन और उम्मी सामग्री से किया जाता है, जिसमें अनुमोदित माडल का विनिर्माण किया गया है, और जिसके सत्यापन मापमान अन्तराल (एन) की अधिकतम संख्या 10,000 (एन \leq 10,000) से कम या उसके बराबर है तथा जिसका "ई" मान 1, 2, 5 शृंखला का है।

[फा. सं. डब्ल्यू एम-21(87)/97]

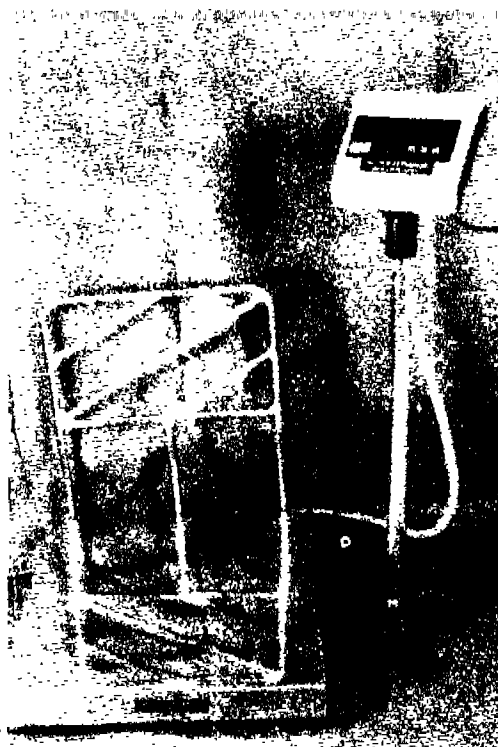
पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 2nd July, 1999

S.O. 1956.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of self-indicating, non-automatic, electronic digital platform weighing machine of type "NAVYUG ENTERPRISES" series of class III accuracy (medium accuracy) and with brand name "NAVYUG ENTERPRISES" (hereinafter referred to as model), manufactured by M/s Navyug Enterprise, Opposite Popat Bogha Street, S V Road, Savarkundala-364515 and which is assigned the approval mark IND/09/98/148.

The said model (see the figure) is a medium accuracy (accuracy class III) weighing instrument with a maximum capacity of 50 kg and minimum capacity of 100 g. The verification scale interval (e) is 5 g. It has a tare device with a 100 percent subtractive retained tare effect. The load receptor is of rectangular section of sides 350 × 450 millimetre. The light emitting diode display indicates the weighing result. The instrument operates on 230 volts and frequency 50 Hertz alternate current power supply:



Further, in exercise of the power conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum number of verification scale interval (n) less than or equal to 10,000 ($n \leq 10,000$) and with 'e' value of 1, 2, 5 series manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[F No WM-21 (87)/97]

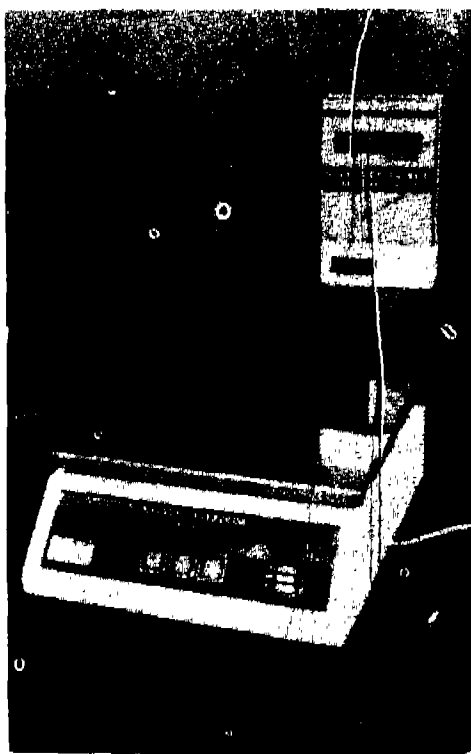
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 2 जुलाई, 1999

का.आ. 1957.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना यह है कि लगातार प्रयोग की अवधि में भी उक्त माडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा करता रहेगा;

अतः, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, वर्ग II यथार्थता (उच्च यथार्थता) वाली "नवयुग इंटर प्राइजेज" शृंखला की स्वतःसूचक, अस्वचालित, इलेक्ट्रॉनिक, अंकक मेजतल तोलन मशीन के मॉडल का, जिसके ब्रांड का नाम "नवयुग इंटर प्राइजेज" है (जिसे इसमें इसके पश्चात् माडल कहा गया है) और जिसका विनिर्माण मैसर्स नवयुग इंटर प्राइजेज, पोपट भोगा स्ट्रीट के सामने, एस बी रोड, सावर कुंडला-364515 द्वारा किया गया है और जिसे अनुमोदन चिह्न आई एन डी/09/98/147 समनुदेशित किया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह माडल (आकृति देखें) उच्च यथार्थता (यथार्थता वर्ग II) का तोलन उपकरण है, जिसकी अधिकतम क्षमता 200 ग्राम और न्यूनतम क्षमता 400 मिली ग्राम है। सत्यापन मापमान अन्तराल (ई) 20 मिली ग्राम है। इसमें एक आद्येयतुलन युक्ति है जिसका शत प्रतिशत व्यकलभात्मक धारित आद्येयतुलन प्रभाव है। भार ग्राही वृत्ताकार है जिसकी व्यास 150 मिलीमीटर है। तरल क्रिस्टल प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज आवृत्ति की प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि माडल के इस अनुमोदन प्रमाणपत्र के अंतर्गत उसी शृंखला उसी मेक, यथार्थता और कार्यकरण वाला ऐसा तोलन उपकरण भी होगा, जिसका विनिर्माण उसी विनिर्माता द्वारा उसी डिजाइन और उसी सामग्री से किया जाता है, जिससे अनुमोदित माडल का विनिर्माण किया गया है, और जिसके सत्यापन मापमान का अन्तराल (एन) की अधिकतम संख्या 1,00,000 (एन \leq 1,00,000) से कम या उसके बराबर है तथा जिसका "ई" मान 1, 2, 5 शृंखला का है।

[फा. सं. डब्ल्यू एम-21(87)/97]

पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 2nd July, 1999

S.O. 1957.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions,

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of model of the self-indicating, non-automatic, electronic digital table top weighing machine of type "NAVYUG ENTERPRISES" series of class II accuracy (high accuracy) and with brand name "NAVYUG ENTERPRISES" (hereinafter referred to as model), manufactured by M/s Navyug Enterprises, Opposite Popat Bogha Street, S V Road, Savarkundala-364515 and which is assigned the approval mark IND/09/98/147:

The said model (see the figure) is a high accuracy (accuracy class II) weighing instrument with a maximum capacity 200 g and minimum capacity of 400 mg. The verification scale interval (e) is 20 mg. It has a tare device with a 100 per cent subtractive retained tare effect. The load receptor is of circular section of diameter 150 millimetre. The light emitting diode display indicates the weighing result. The instrument operates on 230 volts, and frequency 50 Hertz, alternate current power supply:



Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said section, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum number of verification scale interval (n) less than or equal to (n ≤ 1,00,000) and with 'e' value of 1, 2 and 5 series manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved model has been manufactured

[F. No WM-21 (87)/97]

P. A. KRISHNAMOORTHY, Director, Legal Metrology

श्रम मंत्रालय

नई दिल्ली, 14 जून, 1999

का. आ. 1958 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 11) की धारा 17 के अनुमरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया विजयवाड़ा के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण—1, हैदराबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 14-06-1999 को प्राप्त हुआ था।

[नं. पल.-12012/369/97-आई. आर. (बी-1)]

सनातन, डेस्क अधिकारी

MINISTRY OF LABOUR

New Delhi, the 14th June, 1999

S.O. 1958.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal-I, Hyderabad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India Vijayawada and their workman, which was received by the Central Government on 14-06-1999.

[No. L-12012/369/97-IR(B-I)]

SANATAN, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL-I AT HYDERABAD

PRESENT :

Sri C. V. Raghavaiah, B.Sc., B.L.,
Industrial Tribunal-I.

Dated : 13th day of April, 1999

INDUSTRIAL DISPUTE NO. 25 OF 1998

Between :

Smt. Mutayala Leelavathi W/o Appa Rao,
Ex. Scavenger, Abdul Razak Street,
Vinchipet, Dr. No. 8-10-4, Vijayawada-520003. .. Petitioner

And

The Dy. General Manager, State Bank of India,
Lablpet, Vijayawada-520003. ... Respondent.

Appearances :—

Sri William Barra, Advocate for the petitioner.
Sri B. G. Ravinder Reddy, Advocate for the Respondent.

AWARD

The Government of India, Ministry of Labour, New Delhi vide its Order dt. 20-8-98 in No. L-12012/369/97-IR(B.I) made this reference under Section 10(1)(d) and Sub Section 2A of the Industrial Disputes Act to this Tribunal for adjudication of the following Industrial Dispute.

"Whether the action of the management of State Bank of India, Zonal Office, Vijayawada in terminating the service of Smt. M. Leelavathi, Ex. Scavenger without employing provisions of Section 25-F of I.D. Act, 1947 is justified? If not, to what relief the workman is entitled to?"

The above reference is numbered as I.D. No. 25/98. After both parties are served, they made their appearance through their respective counsels and filed the pleadings. 1909 GI/99—10.

2. The petitioner/workman filed brief claim statement contending as follows: The petitioner was appointed as substitute sweeper in the Gandhinagar Branch of S.B.I., Vijayawada in the month of January, 1988 orally and 4 months later the regular sweeper returned to duty. But the service of the petitioner was continued as sweeper-cum-scavenger by giving assurance that she will be appointed as sweeper on regular basis. Hence she worked in the above bank continuously from January, 1988 till May, 1994 when her services are terminated orally without assigning any reasons and without holding enquiry though she has been discharging her duties satisfactorily between 7.00 a.m. to 10.00 a.m. and 3.00 to 6.00 p.m. by attending to the work entrusted to her such as sweeping, cleaning and dusting. She worked for 250 days in 1988, for 243 days in 1989, for 264 days in 1990, for 229 days in 1991, for 239 days in 1992, for 245 days in 1993 and for 100 days in 1994 from January to May excluding Sundays and Public Holidays as per the attendance register/Note Book maintained by the Bank authorities. Thus she worked for more than 240 days in those years as full time sweeper-cum-scavenger and thereby put in continuous service of one year as per Section 25B(2)(b) of I.D. Act.

While so all of a sudden on 18-5-94 she was informed orally not to attend the office and thus terminated from service but a new person was appointed in her place as sweeper-cum-scavenger. According to the petitioner, termination of her service amounts to illegal retrenchment as she was not given one month notice or pay in lieu of notice and retrenchment compensation as per Section 25F of I.D. Act as such she is entitled to the relief of reinstatement, as contract labour is abolished in Banks for doing work of cleaning, dusting sweeping etc.

It is also contended that petitioner approached the respondent for reinstatement. But it did not agree. Hence she approached the Assistant Labour Commissioner (Central), Vijayawada but the Conciliation proceedings ended in failure leading to this reference as the respondent refused to take her back into service. The petitioner thus contended that termination of her service by the respondent-Management is arbitrary.

The petitioner prayed for her reinstatement by declaring that the action of the respondent is illegal and unjustified being contrary to the provisions of I.D. Act and Constitution of India.

3. The respondent-Management filed a counter resisting the claim statement. It contended that the petitioner was neither appointed nor terminated from service as such violation of Section 25F of I.D. Act does not arise. It denied that petitioner was appointed in the leave vacancy of regular sweeper and continued in service as sweeper-cum-scavenger even after return of regular sweeper, that she worked continuously from January, 1988 to May, 1994, that she worked for more than 240 days in each year and she used to work from 7.00 to 10.00 a.m. and 3.00 to 6.00 p.m. daily and she was entrusted the work of cleaning, sweeping, dusting etc. and another person was appointed as sweeper-cum-scavenger after terminating her service. It on the other hand contended that the petitioner was engaged intermittently for purpose of cleaning toilet whenever there was a need for half-an-hour a day and she was paid Rs. 5 to 7.50 per days as and when she was engaged and she herself left the work without informing the respondent. It further contended that there is no post of scavenger in its Bank as such there is no vacancy of such post and regular need. Thus according to the respondent as there was no need for regular engagement the service of willing worker were engaged for the limited purpose now and then and as the petitioner on her own accord stopped away there is no question of termination and as she was never appointed there is no question of complying with the provisions of Section 25F of I.D. Act. It contended that as there is no termination, no notice and no retrenchment compensation are paid and there is no violation of contract (Labour and Abolition) Act as she was not employed as contract labour. The respondent thus contended that reference is bad in law and prayed for rejecting the same.

4. On the above contentions, the following point arises for consideration :

Whether the termination of service of the petitioner amount to retrenchment. If so it is in valid for non-compliance with the provisions of I.D. Act i.e., Section 25F ?

5. Point :—In support of her contention the petitioner examined herself as WW1, while the respondent examined one Sri K. Jacob its Manager Personal and HRD, Vijayawada as MW1. The petitioner led Exs. W1 to 12 while no documentary evidence adduced on behalf of the respondent.

6. It is well settled law that all retrenchments amount to termination of service but all the termination may not amount to retrenchment as defined under Section 2(oo) of the I.D. Act. It is equally well settled law that non-compliance with the provisions of Section 25F of I.D. Act renders the retrenchment invalid, void and inoperative and Section 25F of the I.D. Act is attracted if the service of a worker who was in continuous service for one year i.e. if he worked immediately preceding the date of termination of service for not less than 240 days within a period of 12 months under an employer is terminated. It is suffice to refer to following decisions (1) State of Bombay vs. Hesfzal Mazdoor Sabha and others AIR 1960 SC 616(2) Digwadh Colliery Vs. Their workmen 1965 (II) LLJ P 118 and (3) Mohanlal vs. Management of M/s. Bharat Electronics Limited (1981) 3 SCC P. 225. It is also an undisputed principles of law that in case of illiterate workman the burden of proving that retrenched workman did not work for 240 days in a calendar year is on the management which is in custody of record and if it fails to produce the said record the case of the workman that he worked for the required period has to be accepted even in the absence of documentary evidence. It is suffice to refer to the decision of Apex Court reported in 1985 (4) SCC 201.

7. Bearing the above principle of law in mind the contention of the respective parties to be considered on the basis of evidence on record as there is dispute as to whether it is a case of termination, consequently retrenchment as it is beyond doubt that condition of Section 25F of I.D. Act is not complied with or it is a case of abandonment but not termination as she was not appointed.

8. The petitioner has deposed that she worked as sweeper cum-scavenger continuously from January, 1988 to May, 1994 that she used to attend to sweeping, cleaning, dusting, bringing drinking water to staff and work between 7.00 to 10.00 A.M. and 3.00 to 6.00 P.M. that Ex. W1 is the attendance book maintained by the Bank in which her attendance is marked and counter signed by the Bank representatives that she worked for more than 240 days in each year and even after regular sweeper returned from leave she was retained as sweeper-cum-scavenger by giving assurance that she will be taken as regular sweeper that all of sudden in May 1994 she was asked not to attend to duty that she sent Ex. W2 representation to the Manager as another person appointed as sweeper-cum-scavenger after terminating her service, that she sent Ex. W3 representation dated 22-10-94 to the District Collector, that she sent representation to Supreme Court that she received Ex. W4 reply to approach A.P. State Legal Aid and Advisory Board, High Court of A.P. that hence she sent Ex. W5 representation for which she received Ex. W6 reply from the above authority, that she sent another representation i.e. Ex. W7 to the above authority for which she received Ex. W8 reply with the version of the management, that thereafter she approached Labour Officer, Vijayawada by way of Ex. W9 application, Labour Commissioner under Ex. W10 application, that Ex. W11 is minutes of conciliation and Ex. W12 is the failure report. I feel Ex. W1 is alone crucial document as Exs. W2 and W3 do not bear signature and no proof as to service while other documents are not very much germane.

9. The evidence of MW1 on the other hand showed that the petitioner was engaged as Scavenger to clean the toilet for half-an-hour depending on the need, that she was engaged now and then, she was paid Rs. 5 to 7.50 per day, that she herself left the service but not terminated or disengaged, that she did not work continuously from 1-1-88 to May 1994 and

there is no post of scavenger in the Bank. He also deposed that there is no need to engage scavenger every day though there are 40 employees in Vijayawada Branch and separate toilet for gents and ladies, that they have not produced any record as to number of days the petitioner worked though there is such record and wages of the petitioner paid on vouchers or petty cash payment register. He however admitted that Ex. W1 contains entries from 1-1-88 to 17-4-94 that the said book contains names of Sri T. K. Rao and Prasad Rao though not initials or signatures of head cashier and manager as spoken to by the petitioner.

10. Thus from the evidence placed on record it is obvious that the petitioner worked in the Respondent Bank. Ex. W1 would show that she worked for more than 240 days in each year from 1-1-88 to 17-5-94 and contains the entries with red ink as to the date of payment of wages. The entries are counter signed by T. K. Rao and Prasad Rao may be watch and guard who will be available 24 hours. The respondent did not produce vouchers or petty cash register under which wages paid to the petitioner to disprove the entries in Ex. W1. Further there is nothing in the evidence of MW1 to show that T. K. Rao and Prasad Rao whose names are mentioned in Ex. W1 are not working as watch and guard in the respondent bank at Vijayawada. I feel that the burden lies on the respondent to disprove the claim of the petitioner supported by the entries in Ex. W1 as it is in custody of material documents under which wages paid to the petitioner. As per the decided authorities if the respondent management failed to produce the record in its possession the claim of the workman that he worked for 240 days in each year has to be accepted. In the absence of rebuttal evidence of satisfactory nature, I find no reason to doubt Ex. W1. The petitioner gave details as to how many days she worked in each year from 1988 to 1994 and as per the said details she worked for 100 days from January to May 1994.

11. As per the decision cited above the period of 240 days has to be reckoned backwards from the date of termination of service i.e. from 17-5-1994 backwards i.e. from Calendar months i.e. June 1993 to May 1994. The entries in Ex. W1 would amply establish that petitioner for more than 240 days during the above period i.e. in June 1993 for 10 days, July for 25 days, August for 22 days, September for 24 days, October for 24 days, November for 23 days, December for 25 days, January 1994 for 21 days, February for 23 days, March for 25 days, April for 21 days and May for 12 days i.e. for total period of 255 days i.e. 15 days more than required period as only actual days she worked are taken into consideration excluding Sundays and Public Holidays as mentioned in Ex. W1. Thus the entries in Ex. W1 which as stated above I find no reason to doubt in the absence of vouchers or petty cash register, clinchingly prove the case of the petitioner that she worked for more than 240 days prior to her termination.

12. The next question is whether, the petitioner was appointed as sweeper-cum-scavenger and her services are terminated. The petitioner has no doubt that she has been appointed orally as sweeper in the leave vacancy of regular sweeper for 4 months. But even after regular sweeper joined she was retained as sweeper-cum-scavenger to do sweeping, cleaning, dusting etc. work in addition to the regular sweeper and she is working for more than 6 hours and the authorities assured that her service will be regularised in due course. She however admitted that both appointment and termination are not evidenced by any order in writing. The evidence of MW1 on the other hand shows that WW1 was engaged as scavenger as and when required though there is no such post to work for half-an-hour per day on wages of Rs. 5 to Rs. 7.50 and she never worked as sweeper and as the petitioner stopped attending they engaged another person for the above purpose. Thus we have only interested testimony of parties.

13. I, however, feel that evidence of MW1 is entitled to acceptance. It is difficult to believe that petitioner was appointed as sweeper-cum-scavenger when there is a regular sweeper and it is equally improbable to believe that she was attending to cleaning and dusting of tables besides cleaning toilet when there is a regular sweeper for that purpose. It is thus quite probable that she was engaged as scavenger in the absence of post for half-an-hour or one hour per day as cleaning of two toilets one for gents and another for ladies

staff may not take more than one hour I am unable to accept the testimony of WW1 that she sweeps the bank premises the open space in front and behind the premises though it has come out in WW1's evidence that there is such vacant space. Thus it is a case of the petitioner being engaged and disengaged depending upon the need for about an half-an-hour or one hour. It is difficult to believe that petitioner was working for 6 hours per day and it is not case of appointment or termination of service of petitioner but a case of abandonment. Hence the question of retrenchment and complying with provisions of Section 25-F of I.D. Act does not arise. I feel that facts of case fall within the ambit of Section 2(oo)(bb) of I.D. Act i.e. case of non-renewal of contract of employment.

14. The next question is even if it is assumed to be a case of termination, whether it amount to retrenchment if so provisions of Section 25F of I.D. Act is applicable.

15. As per the decided authorities even if a person works for more than 240 days i.e. continuous period of one year within the meaning of Section 25B(2)(b) of the Act, he is not entitled for reinstatement or regularisation as it will defeat the rules of recruitment and frustrate the aspiration of candidates registered with Employment Exchange, as they are not appointed to a post but to meet the exigency of service pending recruitment of regular candidate. It is also observed that reinstatement and regularisation of such workman appointed against rule of recruitment gives raise to unhealthy trend by providing back door entry into Government Service. It is suffice to refer to case of Delhi Development Horticulture Employees Union vs. Delhi Administration, Delhi 1992 (2) LLJ 452.

16. In a recent decision the Apex Court held in Himant Sukumar Vidyarthi vs. State of Bihar 1997 LAB IC 2075 that termination of service of daily wage employees engaged on the basis of need of work cannot be construed as retrenchment and the said concept cannot be stretched to such an extent as to cover these employees and in respect of such workmen Section 25F of I.D. Act is not attracted. In the present case also though there is no cadre of scavenger in S.B.I., the petitioner was engaged on the basis of need of the work i.e. for cleaning toilet on daily wage basis while regular sweeper is appointed for sweeping, cleaning, dusting in the Bank. When the appointment for the post part-time or full time sweeper is regulated by the statutory rules, the petitioner who was engaged as scavenger due to exigency of service cannot be ordered to be reinstated as provision of Section 25F is not attracted. I am also of the view that as the petitioner was engaged as scavenger only she cannot seek reinstatement to the post of sweeper-cum-scavenger which is a non-existing post. I am further of the view that contract Labour Abolition Act is not applicable to the facts of the case.

17. I, therefore, conclude on a consideration of the evidence placed on record that it is a case of discharge simpliciter but not retrenchment without complying with the provisions of Section 25F of I.D. Act. The point is answered against the petitioner accordingly.

18. In the result, the reference is answered by holding that the petitioner is not entitled for relief of reinstatement with attendant benefits. Consequently the reference is rejected.

Written and passed by me on this 13th day of April, 1999.

C. V. RAGHAVIAH, Industrial Tribunal-I
APPENDIX OF EVIDENCE

Witness Examined for Petitioner :	Witness Examined for Respondent :
--------------------------------------	--------------------------------------

WW1 M. Leelavathi.

MW1 Devadanam.

Documents marked for the Petitioner :

Ex. W1—Attendance Register showing the working days particulars of WW1.

Ex. W2—Representation given by WW1 to the Manager SBI, Gadhingur.

Ex. W3—Representation dt. 22-10-94 given by WW1 to the District Collector, Krishna.

Ex. W4—Reply dt. 22-3-95 from the Assistant Registrar of Supreme Court of India.

Ex. W5—Representation made by WW1 to the Hon'ble Registrar (Judl.) A.P. State Legal Aid and Advice Board.

Ex. W6—Reply dt. 29-4-95 of the Administrative Officer A.P. State Legal Aid and Advice Board, High Court of A.P.

Ex. W7—Representation dt. 15-7-95 made by WW1 to the Administrative Officer A. P. State Legal Aid and Advice Board.

Ex. W8—Reply dt. 13-9-95 sent by the Administrative Officer of A. P. State Legal Aid and Advice Board to Ex. W7 issued to WW1.

Ex. W9—Representation dt. 13-8-96 made to the Labour Officer, Vijayawada.

Ex. W10—Representation dt. 20-3-97 made to the Asst. Labour Commissioner, Vijayawada.

Ex. W11—Minutes of conciliation proceedings held on 9-10-97 before the Assistant Labour Commissioner (C), Vijayawada.

Ex. W12—Failure report dt. 31-10-97 submitted by the ALC, Vijayawada.

Documents marked for the Respondent :

NIL

नई दिल्ली, 15 जून, 1999

का. आ. 1559 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया, मद्रास के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में औद्योगिक अधिकरण तमिलनाडु, चेन्नई के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 14-06-1999 को प्राप्त हुआ था।

[एफ नं. एल.-12012/66/93-आई. आर. (बी-I)]

सनातन, डेस्क अधिकारी

New Delhi, the 15th June, 1999

S.O. 1959.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Tamil Nadu, Chennai as shown in the Annexure, in the industrial dispute between the employers in relation to the management of State Bank of India, Madras and their workman, which was received by the Central Government on the 14-06-1999.

[F. No. L-12012/66/93-IR(B.I.)]

SANATAN, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL, TAMIL NADU, CHENNAI

Monday, the 15th day of March, 1999

PRESENT :

Thiru S. A. Lek Kumar, M.Sc., B.T., Industrial Tribunal,

INDUSTRIAL DISPUTE NO. 49 OF 1993

(In the matter of the dispute for adjudication under Section 10(1)(d) of the I.D. Act, 1947 between the Workmen and the Management of State Bank of India, Madras)

BETWEEN

The workmen represented by
Shri P. Manickam,
626, East Asarimai Street,
Mudivaithanar,
Tuticorin 628001.

AND

The General Manager,
State Bank of India,
Rajaji Salai,
Madras 600001.

REFERENCE :

Order No. L-12012/66/93-IR.B-1, Ministry of Labour, dated 21-5-93. Government of India, New Delhi.

This dispute coming on for final hearing on Friday, the 29th day of January 1999, upon perusing the reference, claim, counter statements and all other material papers on record, upon hearing the arguments of Tvl. Row & Reddy, Poornima Maduram and K. Indra, Advocates appearing for the petitioner-worker and of Tvl. T.S. Gopalan & Co. Advocates appearing for the respondent management and this dispute having stood over till this day for consideration, this Tribunal made the following

AWARD

This reference has been made for adjudication of the following issued :

"Whether the action of the management of State Bank of India in terminating the services of Shri P. Manickam, w.e.f. 17-10-88 is illegal and justified. If not, to what relief the workman is entitled to and from which date?"

2. The main averments found in the claim statement filed by the petitioner are as follows :

The petitioner Thiru P. Manickam, Ex-serviceman was appointed as Watchman in a permanent post on 19-6-86. The petitioner's probation was extended from 19-12-86 to 18-3-87 and again by 3 months on 18-3-87. On 1-6-87 a charge sheet was issued to the petitioner for furnishing false information and suppression of material information in his application dated 22-5-86 for the post of watchman. The charge was that the petitioner has not declared the fact about the petitioner's involvement in Crime No. 354 of 1984 which was registered in Pudukottai Police Station under Sec. 452 and 324 of Indian Penal Code and thus having committed a misconduct under Para 521(n) of the Sastri Award. An explanation dated 28-6-87 was given by petitioner wherein he categorically denied that he was not conversant in English and that the application was filled in by one V. K. Kandasamy, Clerk in the Tiruchendur branch of the respondent. Since the explanation was not found satisfactory, by letter dated 29-12-87 the petitioner was informed that an enquiry would take place on 7-1-88 with regard to charge memo. In spite of repeated notice, the petitioner did not attend the enquiry and the Enquiry Officer has proceeded with the enquiry on 11-2-88 after settling him *ex parte*. The petitioner's request for change of Enquiry Officer were conceded by the management. On 4-3-1988 the Enquiry Officer sent copy of proceedings and asked him to submit his counter within 7 days. On 4-3-88 and 8-3-88 Enquiry Officer sent letters asking the petitioner to submit his comments on the enquiry conducted *ex parte* on 11-2-88. Since the petitioner was not conversant in English he requested for a translation of the proceedings by letter dated 7-3-88. Instead of considering the petitioner's request, the respondent sent a preliminary conclusion and sent the same along with letter dated 16-9-88 asking the petitioner to submit explanation for the proposed punishment. On 22-7-88, the petitioner sent a letter to Regional Manager to reconsider the *ex parte* decision and permit the petitioner to bring on record some facts. But the petitioner was not allowed to do so. The

Regional Manager issued the second show cause notice on 16-9-88 for which the petitioner sent a reply dated 29-9-88 and also appeared before Regional Manager on the same date. The petitioner was dismissed from service on 17-10-88. The petitioner's appeal dt. 26-12-88 was also dismissed by the Appellate Authority. The action of the respondent is arbitrary and violative of principles of natural justice. Enquiry was conducted in a biased manner. The fact that the petitioner was uneducated and not conversant with English language has not been considered at all. A letter dated 6-8-88 given by one Thiru. V. Kandasamy, Clerk of Tiruchendur branch wherein he has stated that while filling up the application form, he has routinely written in the relevant column as 'No' without consulting the petitioner and that there was no intention to suppress information from the bank had not been considered at all. The petitioner was acquitted by Criminal Court on 11-12-89, thereafter the petitioner has sent several representations which were not considered. Even though the W.A. No. 1055/83 was allowed by the Hon'ble High Court, due to subsequent developments the Hon'ble High Court modified the same and ordered monetary compensation to the petitioner. The W.P. No. 14361/90 filed by the petitioner was dismissed by the Hon'ble High Court with a direction to the petitioner to raise an industrial dispute. The misconduct mentioned in the charge sheet is not at all enumerated in the Standing Order. Hence this Industrial dispute. The charge was not in any way connected with the petitioner's employment which has nothing to do with petitioner's morality and no moral turpitude is involved. The petitioner prays to pass an award holding that the termination of the service of Th. Manickam, petitioner herein w.e.f. 17-10-89 is illegal and unjustified and to direct the respondent to reinstate him with continuity of service, backwages and attendant benefits.

3. The main averments found in the counter statement filed by the respondent are as follows :

The petitioner was engaged as a temporary watchman during the period 2-7-81 to 28-12-81 and again from 29-3-82 to 15-12-82. Thereafter he was not engaged. In the year 1985-86, it was decided by the respondent bank to offer permanent employment for such of those persons who had served as a temporary workman and the petitioner was also considered for permanent employment. The petitioner was required to fill up a cyclostyled application form. On 22-5-86, prescribed application form for employment was submitted by the petitioner and in column no. 21 of the application, petitioner was required to state whether he was ever arrested, prosecuted, kept under detention or bound down, fined, convicted by a Court of Law for any offence or debarred/disqualified by any Institution from appearing at its examination, restricted by any University or any other educational authority/Institution. Further petitioner was required to state whether there was any case pending against him in any Court of law, University or any other educational authority. Institution at the time of filling up the application form. Negative answer saying "No" was given by petitioner to both the questions. On the basis of the declaration made the petitioner was appointed as permanent watchman on probation from 19-6-1986. His probation was extended and during the extended period of probation, the respondent came to know that the petitioner was prosecuted for offences under Sec. 452, 326 and 109 IPC before the Sub-Divisional Magistrate, Tuticorin and the said case was pending. It became evident that the declaration made by the petitioner in his application that he was not prosecuted and that no case was pending against him was not true. On 1-6-87, a charge sheet was issued to the petitioner to the effect that in his application dated 22-5-86 for the post of watchman, he made a false statement and against Column No. 21 did not divulge the facts of his involvement in Cr. no. 354 of 1984 registered in Pudukottai Police Station under Sections 452 and 324 of Indian Penal Code and the pendency of the case before the Sub-Divisional Magistrate, Tuticorin and Principal Sessions Judge, Tuticorin. The petitioner was charged with an act of misconduct under para 521(n) of the Sastri Award read with para 18.28 of the Desai Award. An explanation dated 20-6-87 was given by petitioner contending that as he was not conversant with English, the application was filled up by some other person, and that person had filled up the particulars under column 21 without ascertaining the facts from him. As his explanation was not satisfactory the

petitioner was asked to appear for enquiry. One G. Natarajan, the then Manager, Palayamkottai branch, was appointed as the Enquiry Officer. The Enquiry was fixed on 7-1-88. On 7-1-88 the petitioner has requested for an adjournment on the ground that his defence counsel was not available. The enquiry was fixed on 20-1-88. On that date also, adjournment was sought by the petitioner on the ground that there was some difficulty in bringing his defence counsel. On 1-2-88, representation was made by petitioner to the Disciplinary Authority that the enquiry officer was biased and therefore the Enquiry Officer should be changed. On 8-2-88 the disciplinary authority sent a telegram to the petitioner negating the request for a change of the Enquiry Officer. This was also confirmed in the disciplinary authority's letter dated 9-2-88. On 11-2-88 the petitioner appeared before the Enquiry Officer and requested for an adjournment to a later date on the plea that his counsel has gone out of station for staging a dharna. It was informed by the Enquiry Officer that he was free to engage some other defence representative, that already the enquiry has been adjourned twice, that on the earlier occasions he was clearly informed that enquiry would not be adjourned due to non-availability of the defence counsel and therefore he should participate in the enquiry. The petitioner said that he is not participating in the enquiry. In the aforesaid circumstances, the Enquiry Officer was obliged to proceed with the enquiry in the absence of the petitioner. The case was presented by the presenting officer and documents were marked as PE×1 to PE×6. On 4-3-1988, the Enquiry officer furnished the petitioner a copy of the Enquiry proceedings and called upon the petitioner to make his submission. As the petitioner did not respond on 16-8-88, the Enquiry officer gave his finding holding that the charges against the petitioner were proved. Based on the findings of the Enquiry Officer the Disciplinary Authority proposed a punishment of dismissal and directed the petitioner to appear for a personal hearing on 29-8-1988. On 29-8-88, the petitioner appeared and made a representation. This was followed by another representation dated 30-9-88. After considering his representation the Disciplinary Authority passed orders on 17-10-88, confirming the punishment of dismissal. Then petitioner preferred an appeal against the order of dismissal and appeal was rejected on 18-4-1989. Dismissal was given to the petitioner for an act of misconduct proved in an enquiry held for the purpose. Enquiry was adjourned on two occasions on the ground that the defence representative was not available. When the enquiry was fixed for 3rd time, on 11-2-88 petitioner should have made sufficient arrangements to bring his defence representative. When he failed to do so, Enquiry Officer was justified in refusing adjournment. Petitioner could have himself participated in the enquiry and proved his case but he refused to participate in the enquiry and proved his case but he refused to participate in the enquiry. Allegations against Mr. G. Natarajan, Enquiry Officer are unfounded. When the enquiry was fixed on 7-1-88 and 4-2-88, he has not raised an objection to Mr. G. Natarajan acting as Enquiry Officer. Plea of the petitioner that the Enquiry Officer was biased is an afterthought. Even after the petitioner was furnished with copy of the Enquiry proceedings, he did not chose to appear in the enquiry. Hence Enquiry Officer was left with no option than to close the enquiry and submit his proceedings. The Disciplinary Authority was justified in accepting the findings of the Enquiry Officer. Order of dismissal was made on 17-10-88 and dispute was raised only in the year 1992 and thus there is delay and laches on the part of the petitioner. The fact that the petitioner was not educated cannot justify the suppression of material particulars in the application for the employment. The allegation that the Disciplinary Authority was biased against the petitioner, the allegation of victimisation and unfair labour practice is denied. The domestic enquiry held into the charges against the petitioner is fair and proper and the petitioner was given every opportunity to participate in the enquiry and defend the charge. When the petitioner failed to avail the opportunity he cannot be heard to complain that there was denial of opportunity or there was violation of principles of natural justice. Respondent prays to dismiss the claim of the petitioner.

4. The point for consideration is: "Whether the action of the management of State Bank of India in terminating the services of Shri P. Manickam, w.e.f. 17-10-88 is legal and justified? If not, to what relief the workman is entitled to and from which date?"

5. The Point: The petitioner Thiru P. Manickam an ex-serviceman was appointed as a watchman in the permanent post on 19-6-1986. His probation was extended from 19-12-86 and again from 18-3-87 to 3 months. On 1-6-87 a charge sheet Ex. M.1 issued to the petitioner for furnishing false information and suppression of material information in his application Ex. M.2 dated 22-5-86 for the post of watchman. The charge sheet was that the petitioner has not declared about the petitioner's involvement in Cr. No. 354/84 which was registered under Pudukkottai Police Station under Section 452 and 324 of Indian Penal Code and thus having committed a misconduct under Para 521(n) of the Sastry Award. The petitioner's request for family translation of the charge sheet vide Ex. W-13 letter dated 7-6-87 the same was also given to him. The petitioner's explanation for the charge sheet, Ex. M.10 dated 20-6-87 wherein he has mentioned that application was filled up by another person who knows English and he did not ask him whether he has been involved in any Criminal case and therefore it was not mentioned in the application. Not satisfied with the explanation of the petitioner, a domestic enquiry was ordered. In spite of several opportunities the petitioner did not appear in the enquiry and hence petitioner was set exparte, and enquiry was conducted exparte. Enquiry proceedings are Ex. W-8. Enquiry Officer has held that the charge framed against the petitioner has been proved. Accepting the findings of the Enquiry Officer, Ex. W-20, Ex. W-10 second show cause notice was issued to the petitioner. Explanation submitted by the respondent for second show cause notice is Ex. W-3. On 17-10-88 the respondent issued Ex. W-11, M7 final order dismissing the petitioner from service. The petitioner filed an appeal Ex. W-19 dated 10-12-88 and 20-12-88 and the same was dismissed by Appellate Authority by his order Ex. W-18 dated 18-4-89. The petitioner filed W.P. No. 14361/90 before the Hon'ble High Court, and the Hon'ble High Court was pleased to dismiss the petition with direction to petitioner to raise an Industrial dispute. The order of the Hon'ble High Court is Ex. M.14.

6. The contention of the petitioner is that he did not know English and a Clerk by name Kandasamy who filled up the application for appointment did not ask him about the particular column in which he should have mentioned the fact of his involvement in the criminal case and without asking anything from the petitioner the said Kandasamy has filled up the column with word 'No'. Therefore, there is no wilful suppression of material fact by the petitioner. The contention of the respondent is that the petitioner wilfully and want only suppressed the fact of his involvement in criminal case at the time of his applying for permanent post and the present contention that he did not know English and that the person who filled up the application form has written the word 'No' without consulting him is false. As regards the domestic enquiry, conducted by the respondent, with regard to the charge against the respondent, on 4-9-98 this Tribunal has passed an order holding that the enquiry has been conducted in a fair and proper manner even though the petitioner was set exparte. The only misconduct alleged against the petitioner is that he suppressed the material fact of his involvement in a criminal case while submitting the application for employment under the respondent. A perusal of Ex. M.2 application submitted by the petitioner would show that he has to fill up 24 columns in his application for employment and he has filled up all the columns with the help of one Kandasamy a clerk of the respondent bank of Tiruchendur branch. He has filled up column 21 A and B as follows:

21. (a) Have you ever been arrested, prosecuted, kept under detention or bound down, fined, convicted by a Court of Law for any offence or debarred/disqualified by any institution from appearing at its examination, restricted by any University or any other educational authority/Institution?
- (b) Is any case pending against you in any Court of law University or any other educational authority/Institution at the time of filling up this form? If the answer to (a) or (b) is "Yes" full particulars of the case, arrest, detention, fine, conviction, sentence etc. and the nature of the case pending in the Court/University/educational authority etc. at the time of filling up this form should be given: No

According to the petitioner, since he did not know English, he asked Th. Kandasamy to fill up the application, and he filled it up without enquiring him properly. In support of

the above contention, the petitioner relies upon Ex. W-21 letter of the said Kandasamy dated 6-8-98 wherein he has mentioned that at the relevant time he filled up the application forms for the petitioner and one Palpandian and when he filled up the application for Palpandian he got his perfect answers to every question and as it took much time and he was attending to other routine duties like posting of vouchers, interest checking, coding and decoding of telegrams, he could not concentrate much on the verbatim translation of each and every question while he filled up the form of the petitioner. He asked petitioner whether he was convicted by any Criminal Court and the petitioner said no and therefore he has filled up as NO in Column No. 21. The said version of Kandasamy has not been deposed by the petitioner while he was examined as WW1 before this Court. On the contrary during his cross examination he has stated that Kandasamy filled in the application form according to his instructions and that the contents of Ex. M.2 application form are all correct. Cl. 21 does not deal with a situation of conviction in a Court of law alone. Under column 21 particulars regarding whether the applicant has been arrested, prosecuted, kept under detention or bound down or fined, or convicted by a Court of Law any offence and also whether any case in pending against him have been required to be furnished. For both the columns of 21 (a) and (b) the applicant has written as NO. In Ex. W-21 letter, Kandasamy has stated that he first filled up the application of Palpandian for which he recorded perfect answers but due to his busy schedule, he asked the petitioner whether he was convicted in any case in any Court of law for which the petitioner is said to have replied in negative. If really the said Kandasamy had filled up the application of Palpandian properly and perfectly as admitted by him in his Ex. W-21 letter, naturally for the next application form filled up by him, he would have asked similar question to the petitioner. Therefore, the subsequent contention of Kandasamy in Ex. M. 21 letter that due to his busy schedule he was not able to ask correct question to the petitioner cannot be believed. If the petitioner has furnished the correct detail of his involvement in a criminal case, he would not have been given appointment by the respondent bank. Apart from Ex. M. 1 charge sheet, the letter from Superintendent of Police, Tuticorin regarding the case pending at the Judicial Magistrate's Court at Tuticorin, Ex. M. 4, shows the involvement of the petitioner in a Criminal case for an incident that happened on 27-12-84 at Mudivaithanandal village within Pudukottai Police Station limits. The application has been filled up by the respondent about 2 years later on 22-5-86 by which time the charge sheet was also filed in the Criminal Court as PR 4/85 on 14-3-85 itself. Therefore, the petitioner should be aware that he was an accused in a Criminal case u/s. 452, 326 read with Sec. 109 of Indian Penal Code and he was arrayed as the 4th accused in the said case. In the above circumstances it has to be held that the petitioner has wilfully and want only suppressed the fact of his involvement in a criminal case while filling up the application Ex. M. 2 for employment under the Respondent. In 1982 I LLJ P 4 K. PALANIKUMAR VS. INDIAN BANK & ANT. in a similar case, the Division Bench of our Hon'ble High Court has held as follows:

"We must in this context refer to Clause 3 of the terms and conditions of appointment to which the order itself makes a reference. Clause 3 reads as follows:

"You will be on probation with salary for a period of six months from the date of joining. Notwithstanding anything contained in this letter; your services are liable to be terminated at the sole discretion of the Bank even before the expiry of the probationary period without assigning any reason therefore, but with one month's notice or on payment of a month's salary and allowances in lieu of notice".

Obviously and avowedly the order was passed pursuant to this clause 3. If so, the Bank had a right to terminate the services of a probationer without assigning any reason, whatever, but on payment of a month's salary which condition had been complied within the present case. However, the learned counsel for the appellant contends that so long as the Bank has referred to a reason, namely suppression of the fact that

his brother was in the service of the Bank at the relevant time. Unless that reason can stand the test of reasonableness, the order of termination cannot be sustained. We are unable to accept his argument. Admittedly the appellant did not fill up the relevant columns at both the stages and thereby he suppressed the information. Learned counsel for the appellant contends that appellant need supply the information only if he wanted to get the job on the strength of his brother being in the service of the Bank, but if he wanted to get the job on his own merit, he need not mention that particular fact. He failed to furnish information called for to be furnished by him both in the application and in the service joining report. We are unable to appreciate this argument for the reason that what is relevant is whether the appellant failed to fill up a particular column and which amounted to suppression or not and not whether the appellant wanted to get the job on his own merit or on the strength of his brother being employed in the same Bank. Learned counsel for the appellant contended that the suppression and that question could be decided by this Court. We are unable to agree. Whether a suppression of fact is material or immaterial. It is only for the bank to decide". From the Judgement cited above it is clear that it is for the management to decide whether the suppression of the fact is material or immaterial. In this case, the respondent bank has considered the suppression of the fact as material and has awarded the punishment.

The next contention of the petitioner is that the punishment imposed is grossly disproportionate to the misconduct alleged against the petitioner and therefore this Tribunal should interfere u/s. 11A of the I.D. Act, 1947 and should award a lesser punishment or lenient punishment than dismissal. The petitioner's involvement in a Criminal case while applying for employment has been suppressed. In a case in which an employee whose qualification as a candidate should not be more than 8th standard for appointment as badli workman suppressed his educational qualification and obtained employment and when he was terminated the Labour Court as well as the Hon'ble High Court as a special case not by way of precedent allowed the workman to continue. The Writ appeal of the management was also dismissed. In the said case reported in 1994 II LLJ P. 888, Kerala Solvent Extractions Ltd., Vs. A. Unnikrishnan & Ors. the Hon'ble Supreme Court has held as follows:

"Sri Vaidyanathan, learned Senior Counsel for the appellant submitted in our opinion not without justification, that the Labour Court's reasoning bordered on perversity and such unreasoned, undue liberalism and misplaced sympathy would subvert all discipline in administration. He stated that the Management will have no answer to the claims of similarly disqualified candidates which might have come to be rejected. Those who stated the truth would be said to be at disadvantage and those who suppressed it stood to gain. He further submitted that this laxity of judicial reasoning will imperceptibly introduce slackness and unpredictability in the legal process and in the final analysis, corrode legitimacy of the judicial process.

We are inclined to agree with these submissions. In recent times, there is an increasing evidence of this, perhaps well-meant but wholly unsustainable, tendency towards a denudation of the legitimacy of judicial reasoning and process. The reliefs granted by the Courts must be seen to be logical and tenable within the framework of the law and should not incur and justify the criticism that the jurisdiction of Court tends to degenerate into misplaced sympathy, generosity and private benevolence. It is essential to maintain the integrity of legal reasoning and the legitimacy of the conclusions. They must emanate logically from the legal findings and the judicial results must be seen to be principled and supportable on those findings. Expansive judicial mood of mistaken and misplaced compassion at the expense of the legitimacy of the process will eventually lead to mutually irreconcilable situations and denude the judicial process of its dignity, authority, predictability and respectability".

As far as the petitioner is concerned, if he had mentioned that he is involved in a criminal case, his application for employment might have been even rejected. Only on the presumption that his application will be rejected because of his involvement in a criminal case the petitioner might have suppressed the fact and written as 'No' in column 21(a) and (b) in the application form Ex. M.2 for the employment filled by him. Therefore, there is justification on the part of the respondent management in holding that the respondent has suppressed the material fact for the purpose of getting employment and divulging of this fact might have spoiled the chances of the petitioner in getting employment under the respondent. Therefore, the respondent is justified in terminating the services of the petitioner and this Tribunal cannot invoke its jurisdiction u/s. 11A of the I.D. Act, 1947 to interfere with the said punishment.

In the result, award passed dismissing the claim of the petitioner. No costs.

Dated, this the 15th day of March 1999.

S. ASHOK KUMAR, Industrial Tribunal

I.D. 49/93

Witnesses Examined

For Workman side : Thiru P Manickam.

For Management side : NIL.

Documents marked

For Workman side :

- Ex. W1 20-6-87 Reply to Charge sheet.
- Ex. W2 29-9-88 Reply to Show Cause Notice.
- Ex. W3 30-9-88 Representation.
- Ex. W4 10-12-88 Appeal.
- Ex. W5 2-1-88 Petitioner's letter requesting for adjournment.
- Ex. W6 2-2-88 Petitioner's letter requesting for adjournment.
- Ex. W7 7-2-88 Petitioner's letter requesting for change of Enquiry Officer.
- Ex. W8 4-3-88 Enquiry Proceedings.
- Ex. W9 Respondent's written submission.
- Ex. W10 16-9-88 Second Show Cause Notice.
- Ex. W11 17-10-88 Dismissal Order.
- Ex. W12 Order in Criminal Case No. 296/86.
- Ex. W13 11-6-87 Request for Tamil translation of Charge sheet.
- Ex. W14 1-6-87 Charge sheet in Tamil.
- Ex. W15 24-2-88 Petitioner letter request to set aside ex parte enquiry.
- Ex. W16 7-3-88 Petitioner's letter requesting for translation copies.
- Ex. W17 Discharge Certificate issued by Artillery Depot Regiment.
- Ex. W18 22-7-88 Petitioner letter request to re-open the enquiry.
- Ex. W19 20-12-88 Appeal.
- Ex. W20 8-9-88 Findings.
- Ex. W21 6-8-88 Kandasamy's letter.

For Management side :

- Ex. M1 14-3-85 Charge sheet issued to Petitioner in Crl. case.
- Ex. M2 22-5-85 Application for employment submitted by Petr.
- Ex. M3 7-8-86 Letter from Superintendent of Police, Tirunelveli (East) to Respondent reg. Charge sheet issued to Petitioner.

Ex. M4 12-3-87 Letter from Superintendent of Police, Tuticorin to Respondent reg. pendency of the case against the Petitioner.

Ex. M5 16-12-87 Letter from Prosecution Officer of the Respondent to the Petitioner reg. documents to be filled in the enquiry held against the Petitioner.

Ex. M6 16-8-88 Findings of the enquiry officer.

Ex. M7 17-10-88 Final order passed by disciplinary authority.

Ex. M8 18-4-89 Order of the Appellate Authority.

Ex. M9 18-4-89 Order of the Appellate Authority informing the Petitioner about the dismissal of the appeal.

Ex. M10 1-6-87 Charge sheet.

Ex. M11 Copy of the Petitioner by the Petitioner to the Assistant Commissioner of Labour (Conciliation).

Ex. M12 28-12-92 Respondent reply to Assistant Commissioner Labour.

Ex. M13 Copy of the Writ Petition No. 14361 of 1990.

Ex. M14 14-8-92 Order copy in W.P. No. 14361/90.

नई दिल्ली, 15 जून, 1999

का. शा. 1960 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्वय में, केन्द्रीय सरकार सदन रेलवे, बंगलूर के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण तमिलनाडु, चेन्नई के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार का 14-06-1999 को प्राप्त हुआ था।

[नं. एल.-41011/1/95-आई. आर. (बी-1)]

सनातन, डेस्क अधिकारी

New Delhi, the 15th June, 1999

S.O. 1960.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Tamil Nadu, Chennai as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Southern Railway, Bangalore and their workman, which was received by the Central Government on 14-06-1999.

[No. L-41011/1/95-IR(B-I)]

SANATAN, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL,
TAMIL NADU, CHENNAI

Thursday, the 11th day of March, 1999

PRESENT:

Thiru S. Ashok Kumar, M.Sc., B.L., Industrial Tribunal.

Industrial Dispute No. 21 of 1996

(In the matter of the dispute for adjudication under Section 10(1)(d) of the I.D. Act, 1947 between the workmen and the Management of D.P.O. Southern Railway, Bangalore).

BETWEEN

The workmen represented by
Sh. K. Krishnan, (and 10 others)
C/o. D.R.C.L.U,
Edappally North, Cochin-24.

AND

1. Sr. Divisional Personnel Officer,
Southern Railway,
Bangalore-560 002.

2. P. W. Inspector,

Southern Railway, Salem Junction.

REFERENCE:

Order No. L-41011/195-IR(B-I), Ministry of Labour, dated 1-3-96, Govt. of India, New Delhi.

This dispute coming on for final hearing on Friday, the 22nd day of January 1999, upon perusing the reference, claim, counter statements and all other material papers on record, upon hearing the arguments of Th. C. P. Menon, Authorised Representative for the petitioner-union and of Thiru P. Arulmudi, Advocate appearing for the respondent-management, and this dispute having stood over till this day for consideration, this Tribunal made the following

AWARD

This reference has been made for adjudication of the following issue:

Whether the action of the management of D.P.O. Southern Railway, Bangalore in terminating the services of S/Shri K. Krishnan, A. Madaiyan, V. Kandan, N. Kandan, G. Paramasivam, V. Vanugopal, P. Mariappan, R. Subramani, M. Madaiyan, P. Mani and I. Krishnan is just, proper and legal? If not, to what relief the workman entitled?"

2. The main averments found in the claim statement filed by the petitioner-union are as follows :—The workmen concerned were working under P.W. Inspector[SA]SBC Salem. Southern Railway from 11-10-80 onwards. They attended work the P.W. Inspector Office till 9-7-1987 and on 9-7-87 all of a sudden the P.W. Inspector[SA]SBC Salem told them that no work will be granted from 9-7-87, and they need not come and attend the office in future. The workers were kept out of employment by the P.W. Inspector without any notice and were not provided work from 9-7-87 onwards. In views of the orders of the Railway Board all the 11 workmen were eligible for temporary status after 120 days continuous service. On the attainment of temporary status they will be entitled to the

C.P.C. Scale of pay also. But the Divisional Personnel Officer, Bangalore, had denied that too and the workmen were compelled to approach the Labour Court, Madras. The Labour Court upheld the claim petitions filed by them and directed the management to pay the C.P.C. arrears. As per the Railway Establishment Manual Chapter 23, Rule 2302(i) a temporary Railway Servant shall be liable to be terminated on 14 days notice. In this case as workmen had completed more than 240 days in service, they were entitled to one month's notice. As per the I.D. Act, Chapter VA & VB the workmen has to be given one month's notice in writing indicating the reasons for retrenchment or notice pay. The above workmen have not been given any notice of termination. Hence they are liable to be taken back to duty with backwages and all other benefits. There are many juniors of the workers continuing in service. It is also against Sec. 25H of the I.D. Act, and the retrenchment is bad. The service particulars of these workmen are shown below :—

Sl No.	Name	ITI No.	Date of employment	Date of termination	No. of days worked
1.	K. Krishnan	155	11.10.80	9-7.87	1080
2.	A. Madiyalagan	156	—	—	1040
3.	V. Kandan	157	—	—	1055
4.	M. Kandan	159	—	—	1027
5.	V. Venugopal	160	—	—	1012
6.	G. Paramasivam	170	—	—	1017
7.	P. Mariappan	174	—	—	1035
8.	R. Subramanian	200	—	—	980
9.	M. Madaiyan	213	—	—	985
10.	P. Mani	217	11.10.81	—	910
11.	I. Krishnan	231	11.09.84	—	740

The workmen are out of employment. The petitioner prays to pass an award directing the railway administration to reinstate them with all benefits.

3. The main averments found in the counter statement filed by the respondent are as follows : The petitioner-union is not a recognised union and hence the application filed by the union is not maintainable. The workmen concerned in this dispute were engaged as casual labour for night patrol duty for the period of 90 days. As per rules in force the casuals were being engaged for short spells for night patrol work during monsoon season and stopped after the monsoon season was over. The workmen were engaged in various spells. On one or two occasions they were engaged for ballast insertion and also for attending accidental spots. But they have not worked for 120 days continuously. Since they have not worked for more than 120 days, in any time they were not accorded temporary status. As per Railway Boards letter dated 20-8-92, 22-8-92 and 14-5-84 all the broken spells were taken into account and they were given temporary status duly arriving at 120 days in different spells. Since their addresses were not known and also Supervisory Officials under whom they had been worked had been transferred, and some of them had already retired, the arrears payment consequent on the grant of temporary status could not be arranged. The arrears were lodged in Court for disbursement. The Secretary of the Union filed petition before Regional Labour Commissioner, Madras to hold conciliation and to reinstate the work-

man to duty with backwages on the ground that the management/railways stopped the workmen from work without notice which was illegal. The respondent participated in the conciliation and also filed a reply dated 11-1-94. The conciliation ended in failure. As could be seen from the service particulars of the casuals, none of them have put in 240 days of continuous service at any time. By their letter dated 22-4-87, while engaging the casuals, they have been clearly advised that they are engaged for a period of 90 days only for maintenance of permanent way in their section and also that after expiry of 90 days, they will be retrenched and on no account they will be continued beyond the said period. Hence it is very clear that engagement of these casuals was for very specific purpose and was for very specific period. As per the rules in force, the casuals though have attained temporary status and liable to be retrenched whenever there is no work to continue. The temporary status has been granted with retrospective effect based on Railway Board's letter wherein it was advised that even broken spells should be taken into account to arrive at 120 days of service to accord temporary status. Therefore, the termination become automatic on the date, the specific work assigned was over. Therefore they are not covered by the Industrial Disputes Act, and conditions of notice period and also compensation under the Industrial Disputes Act, does not arise. These casuals were only eligible for arrears of difference of wages due to grant of monthly rate of pay which was arranged through the Labour Court, Madras. The application is liable to be rejected as not maintainable as the applicant is not a recognised union. The respondent prays to dismiss the claim.

4. In the rejoinder statement filed by the petitioner, it has been stated as follows : The aggrieved persons are workers within the meaning of the I.D. Act, 1947 and they were terminated without observing the principles of natural justice and statutory requirements enshrined both in Indian Railway Establishment Manual and Industrial Disputes Act. Such of kind of workers should be made regular by the IREM paragraph P. 2505 and they are eligible for all the benefits. The workers have put in regular continuous service as per rules. The terminations are inconsistent with the statutory provision and hence terminations are illegal and untenable. The employees are entitled to get 14 days notice before termination of their service.

5. Thiru Kandan was examined as WW1 and Ex. W-1 to W-9 have been marked by consent. On behalf of the respondent management, Thiru R. Rathnam, Senior Engineer, was examined as MW1 and Ex. M-1 to M-7 have been marked.

6. The point for consideration is : "Whether the action of the management of D.P.O. Southern Railway, Bangalore in terminating the services of S/Shri K. Krishnan, A. Madaivan, V. Kandan, N. Kandan, G. Paramasivam V. Venugopal, P. Mariappan, R. Subramani, M. Madaivan, P. Mani and I. Krishnan is just, proper and legal ? If not to what relief is the workman entitled to ?"

7. The point : The workmen concerned in this dispute were working under permanent way Inspector, Salem, Southern Railway, from 11-10-80 onwards. 1909 GI/99—11.

They were employed till 9-7-87 and they were not given any work from 9-7-87 and they were informed that they need not come and attend office in future. According to the workers, they were kept out of the employment without any notice or any compensation. All the workmen concerned in the dispute have attained temporary status after a continuous service of 120 days. Since they were entitled for CPC scale of pay which was denied by the District Personnel Officer, Bangalore, they approached the Labour Court of Madras by filing CPCs. The Labour Court directed the respondent to pay CPC arrears. All the workmen had completed more than 240 days in service and therefore they are entitled to one month's notice in writing indicating the reasons for retrenchment or notice pay. But the respondent has neither given any notice nor notice pay in lieu of notice nor state any reason for retrenchment. Many juniors of the workmen are employed by Permanent Way Inspector is against Sec. 25H of the I.D. Act, 1947. The respondent has violated Sec. 25F of the I.D. Act, also. The contention of the respondent is that the workmen concerned in this dispute were engaged as casual labour for night patrol duty for a period of 90 days and casuals engaged or short spells for night patrol duty during monsoon season and were stopped after the season is over. They have not worked for 120 days continuously and they were not accorded temporary status. But as per Railway Board's letter dated 20-8-92, 22-8-92 and 14-5-84 all the broken spells were taken into account and they were given temporary status. Since their addresses were not known and supervisory officials under whom they had been working were transferred and some of them had already retired, arrears of payment consequent on the accord of temporary status could not be given and therefore the arrears were lodged in the Court. None of the workmen have put in 240 days of regular service at any time, and therefore they are not covered by the Industrial Disputes Act, 1947 and conditions of notice period and compensation under the I.D. Act, 1947 does not arise. The workmen were engaged for a period of 90 days only for management of Permanent way section and they were also informed that they will be retrenched after the said period. Ex. M.5/series is the service particulars of the employees concerned in this dispute and they have worked from 545 days to 767 days as seen from Ex. M.5/s. Ex. M.1 is the order dated 5-7-91 which has granted temporary status to I. Krishnan, one of the workman concerned in this dispute. Ex. M.2 is an order issued by Divisional Office, Personnel Branch, Bangalore dated 27-11-87 which has granted temporary status for the rest of the workman concerned in this dispute. Ex. W-1/series is the order passed by the Principal Labour Court-cum-Central Government Labour Court, Madras in C.P. No 93/91 to 101/91 in respect of 9 workmen granting them CPC Scales of Pay on the ground that all of them have attained temporary status. The fact that all the workmen have attained temporary status has also been admitted by MW1 Th. Rathnam, Section Engineer at Salem employed under the respondent. On 22-4-87, the respondent has issued the last order to all the workmen engaging them for a period of 90 days only maintenance of permanent way section where it is also mentioned that after the expiry of 90 days the concerned workers

will be retrenched, and they will not be contoured beyond will period. In a similar case, in the case of 16 workmen who were employed in Palghat Division of the respondent management, the Industrial Tribunal of Alapuzha in I.D. 141/89 has held that the termination of all the workmen were illegal and they should be reinstated with backwages, and the said judgement dated 19-1-91 is Ex.W-2. In I.D. 202/90 of the Industrial Tribunal, Allaphey in the case of 15 other workmen, the same Industrial Tribunal has held that their retrenchment without compliance of Section 25F of the I.D. Act, 1947 is illegal and void and has directed reinstatement of the workmen into service and has held that they are deemed to be in service from the date on which they were denied employment and the judgement of Industrial Tribunal, Allaphey dated 1-10-92 is Ex.W-3. Now we must see whether the termination of the petitioners without notice by the respondent on the ground that they were engaged only for seasonal work and they are not entitled for notice of termination is justified. A perusal of service particulars of the petitioners Ex. M.5[Series would show that they were engaged for various broken spells not only for night patrol during monsoon season as contended by the respondent, but they were also engaged for ballast insertion, man days lost, picking up accident spots, for P.V.T., dumping of M ballast, for Vulnerable point, watching V. P. and similar works. The further contention of the respondent is that they were engaged only in the monsoon season alone is not true because all of them have been engaged in other seasons also. Normal monsoon season in Salem area is only between August and November of every year. But, the workman have been engaged in other season including summer season also. The workman had been engaged only in broken spells for no fault of them because the workman have not been absented themselves from duty but were given employment only during certain broken spells by the respondent. U/s 25(B)(1) of the I.D. Act, 1947.

“a workman shall be said to be in continuous service for a period if he is, for that period, in uninterrupted service, including service which may be interrupted on account of sickness or authorised leave or an accident or a strike which is not illegal, or a lock-out or a cessation of work which is not due to any fault on the part of the workmen;”

The ceassation of work is not due to any fault of the workman because the respondent has given artificial breaks created purposely by the respondent. All these workmen have worked for several years from 1979 to 1987 for the period of not less than 9 years in broken spells. The intermittent breaks in the service of these 11 workmen during the period from 1979 to 1987 were not at all due to their fault and therefore, all of them will have continuous service of 240 days as contemplated U/s 25-(B) of the I.D. Act, 1947. If a workman who would come within the purview of the I.D. Act, 1947 is dismissed without complying with the formalities contemplated u/s. 25F of the I.D. Act, 1947, the said termination would be only illegal and in that case the workman would be entitled for reinstatement with backwages and continuity of service. The

Hon'ble Supreme Court in AIR 1984 SC 854 (L. ROBERT D' SOUZA Vs. EXECUTIVE ENGINEER SOUTHERN RAILWAY) has held as follows :

“What has been urged on behalf of the respondent is that the appellant was employed in construction work and therefore, labour on projects irrespective of duration would belong to the category of casual labour. That however does not mean that every construction work by itself becomes a work charge project. On the contrary Sub-clause 1 of clause B of Rule 2501 would clearly show that such of those persons belonging to the category of casual labour who continue to do the same work for which they were engaged or other work of the same type for more than 6 months without a break will be treated as temporary after the expiry of 6 months of continuous employment. Similarly seasonal labour sanctioned for specific works for less than 6 months duration would belong to the category of casual labour. However, sub-clause 3 of Clause B of Rule 2501 provides that if such seasonal labour is shifted from one work to another of the same type, as for example, “relaying” and the total continuous period of such work at any one time is more than six months duration, they should be treated as temporary after the expiry of six months of continuous employment. The rest provided that for the purpose of determining the eligibility of casual labour to be treated as temporary, the criterion should be the period of continuous work put in by each individual labour on the same type of work and not the period put in collectively by any particular gang, or group of labourers. It is thus, abundantly clear that if a person belonging to the category of Casual labour employed in construction work other than work charged projects if he renders six months continuous service without a break by the operation of statutory rule the person would be treated as temporary railway servant after the expiry of six months of continuous employment. It is equally true of even seasonal labour. Once the person acquired the status of temporary railway servant by operation of law the conditions of his service would be governed as set out in Chapter XXIII. Rule 2301 in Chapter XXIII defines the temporary railway servant.” It reads as under :

2301 definition—A temporary railway servant means a railway servant without a lien on a permanent post on a railway or any other administration or office under the Railway Board. The term does not include “casual labour” a “contract” or “part-time” employees are an “apprentice”.

The service of the temporary railway servant may be terminated as provided in Rule 2301—The bene-

fits which the temporary railway servant enjoys are set out in the same chapter. Once it is held that by operation of statutory rule in the Manual the appellant had acquired the status of temporary railway servant and assuming, as contended by Mr. Francis that the termination of service in the circumstances alleged does not constitute retrenchment stricto sensu, would be termination be still valid? The answer is an emphatic note. On the admission of the railway administration, service was terminated on account of absence during the period appellant was on fast. Absence without leave constitutes misconduct and it is not open to the employer to terminate service without notice and inquiry or at any rate without complying with the minimum principle of natural justice. Further Rule 2302 clearly prescribes the mode, manner and methodology of terminating service of a temporary railway servant and admittedly the procedure therein prescribed having not been carried out, the termination is void and invalid. Accordingly the same conclusion would be reached even while accepting for the purpose of the facts of this case simultaneously rejecting it in law that the termination does not constitute retrenchment it nonetheless it would be void and inoperative.

According to Rule 1501(1) of Indian Railway Establishment Manual, Volume I revised edition 1989, a Temporary Railway Servant, means a railway servant without a lien on a permanent post on a railway or any other administration or office under the Railway Board. The term does not include "casual labour" including "casual labour with temporary status" "contract" or "part-time" employee or an "apprentice" Rule 1502(i) is as follows :

"When a person without a lien on permanent post under Government is appointed to hold a temporary post or to officiate in a permanent post his entitled to no notice of the termination of his service, if such termination is due to the expiry of the sanction of post which he holds, or the expiry of the officiating vacancy or to his compulsory retirement due to mental or physical incapacity or to his removal or dismissal as a disciplinary measure after compliance with the provisions of Clause 2 of Article 311 of the constitution of India. If the termination of service is due to some other cause, he shall be entitled to one months notice provided he was engaged on a contract for a definite period and a contract does not provide for any other period of notice, and to a notice of 14 days if he was not engaged on a contract. Temporary railway servants with over 3 years continuous service shall however, be entitled to a month's notice. The periods of notice specified above shall apply on either side and steps should be taken to bring this condition to the notice of the railway servants concerned".

In this case since all the workmen concerned in this dispute have already attained temporary status, they could be terminated only with a minimum of 14 days of notice. But, admittedly, the respondent has not issued notice. Even though the workmen have con-

tended that their juniors are still retained by the respondent in violation of Section 25H of the I.D. Act, 1947 they have not let in any evidence to prove the same. The respondent has also violated Section 25F of the I.D. Act, 1947. In the above circumstances, all the workmen concerned in this dispute are entitled to be reinstated in service with backwages and other attendant benefits. Award passed. No costs.

Dated this the 11th day of March, 1999

S. ASHOK KUMAR, Industrial Tribunal

WITNESSES EXAMINED

For Petitioner-workmen :

W.W.1 : Thiru Kandhan

For Respondent-management :

M.W.1 : Thiru R. R. Rathnam

DOCUMENTS MARKED

For Petitioner-workmen :

Ex. W-1 : True copy of the Order in C.P.C. No. 93/91 to 101/91 issued by the Labour Courts.

Ex. W-2/19-1-91 : Award passed by the Industrial Tribunal Alapuzha, in I.D. 140/89 (xerox).

Ex. W-3/1-10-92 : Award passed by the Industrial Tribunal Alapuzha, in I.D. 202/90 (xerox).

Ex. W-4/27-11-97 : True copy of M.B.P. 407/711/3A/SB/SA. D.O. No. ECELL/165/87.

Ex. : W-5/27-11-97 : True copy of letter No. IPL/23/92 of 5-3-92 addressed to the Asst. Labour Commissioner (C), Chennai-6 by the applicant.

Ex. W-6/13-12-93 : True copy of letter No. 8(27)92/A2 issued by the Asst. Labour Commissioner (C), Chennai to the applicant.

Ex. W-7/11-1-94 : True copy of letter No. 8/P-407/VII/SA of the Divl. Personnel S. Rly. Bangalore to the Asstt. Labour Commissioner (C) Chennai-6.

Ex. W-8/22-3-94 : True copy of rejoinder submitted by the applicant before the Asst. Labour Commissioner (C), Chennai-6.

Ex. W-9/1-3-96 : True copy of letter No. L-41001/1/91.IR B.I. issued by the Ministry of Labour, New Delhi.

For Respondent-management :

Ex. M-1/5-7-91 : Office Order No. ECELL. 77-91 issued in favour of Sri. I. Krishnan (xerox).

Ex. M-2/27-11-87 : Office Order No. E. CELL/165/87 issued in favour of 24 persons (xerox).

Ex. M-3/5-3-92 : Letter of Dy. Rly Casual Labour Union (xerox).

Ex. M-4/11-1-94 : Reply filed by the respondent before ALC(C), Chennai (xerox).

Ex. M-5/ : Service particulars of nine persons (xerox).

Ex. M-6/22-4-87 : Permanent Way Inspector, Salem's letter No. B/P 407/VII. SB.SA (xerox).

Ex. M-7/ : Extract of Section 25N of the I.D. Act, 1947 (xerox).

नई दिल्ली, 16 जून, 1999

का. आ. 1961 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार रिजर्व बैंक ऑफ इंडिया के प्रबन्ध-तंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1, मुम्बई के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-06-1999 को प्राप्त हुआ था।

[का. सं. एल.-12012/90/94-आई. आर. (बी-1)]
सनातन, डेस्क अधिकारी

New Delhi, the 16th June, 1999

S.O. 1961.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, No. 1, Mumbai as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Reserve Bank of India and their workmen, which was received by the Central Government on 15-06-1999.

[F. No. L-12012/90/94-IR(B.I.)]
SANATAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. 1, MUMBAI

PRESENT :

Shri Justice C. V. Govardhan.—Presiding Officer.
Reference No. CGIT-16 of 1995

PARTIES :

Employers in relation to the management of
Reserve Bank of India.

AND

Their workmen.

APPEARANCES :

For the Management.—Sh. P. S. Bindra, Asstt.
Legal Adviser.

For the Workman.—No appearance.
STATE : Maharashtra.

Mumbai, the 1st June, 1999

AWARD

The Central Government has referred the following dispute by its order dated 20-4-1995 for adjudication by this Tribunal :

“Whether the action of the management of Reserve Bank of India, Bombay in terminating the services of Sh. Ramesh Manori, Sweeper, w.e.f. 26-12-90 is legal and justified? If not, to what relief the workman is entitled to?”

Both the sides have filed their respective statement of claim, written statement, rejoinder and affidavits. Evidence of the workman as well as the witness of the Bank have been recorded in May, 1997. The matter was posted for further hearing. No progress made in the hearing for the past two years. The workman or their representative failed to appear before this Tribunal. In the last three occasions of hearing also the workman and their representative were absent. I am therefore of opinion that neither the workman nor his representative is interested in prosecuting this dispute and therefore the matter is to be dismissed for default.

In the result, an award is passed dismissing the reference for default.

C. V. GOVARDHAN, Presiding Officer.

नई दिल्ली, 16 जून, 1999

का. आ. 1962 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ मैसूर, बंगलूर के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बंगलूर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-06-1999 को प्राप्त हुआ था।

[का. सं. एल.-12012/265/93-आई. आर. (बी. I.)]
सनातन, डेस्क अधिकारी

New Delhi, the 16th June, 1999

S.O. 1962.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Bangalore as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of Mysore, Bangalore and their workmen, which was received by the Central Government on 15-6-1999.

[No. L-12012/265/93-IR(B-I)]
SANATAN, Desk Officer

ANNEXURE
BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT, BANGALORE

Dated, 31st May, 1999

PRESENT :

Justice R. Ramakrishna, Presiding Officer.
C.R. No. 39/94

I PARTY :

The General Secretary
State Bank of Mysore Employees
Association, 544,
32nd cross, 4th Block, Jayanagar
Bangalore : 560 011.

II PARTY :

The Managing Director
State Bank of Mysore
Head Office, K. G. Road,
Bangalore : 560 009.

AWARD

1. The Central Government by exercising the powers conferred by clause (d) of sub-section (1) and sub-section 2A of the section 10 of the Industrial Disputes Act, 1947 has referred this dispute vide Order No. 1/2012/265/93-IR.B.I dt. 28-3-1994 for adjudication on the following schedule.

SCHEDULE

“Whether the action of the management of State Bank of Mysore in postponing the increment for a period of 3 months in respect of Smt. Vandana R. Bhat is justified? If not, to what relief the workman is entitled?”

2. When this dispute is taken up today for recording the evidence of the second party management the concerned workman and the Chief Manager for the second party appeared and filed a joint memo under Section 11 of the Industrial Disputes Act read with Section 151 of the code of Civil procedure. They have prayed that the contents of the joint memo may kindly be recorded and the reference may be disposed of having been settled between the parties. The salient feature of settlement is :

1. In the above matter, the parties have arrived at a settlement. Since the industrial dispute was pending, the II party has been given effect to its order of postponement of increments for a period of three months in respect of Smt. Vandana R. Bhat in view of her absence for which leave on loss of pay was granted subsequently. The II Party will not effect such postponement of the increments.
2. The parties herein most respectfully pray that the reference may be disposed of as having been settled, without treating the order as a precedent.

Consequent to this joint memo, which is signed by both parties, the reference is answered accordingly.

(Dictated to the stenographer, transcribed by her, corrected and signed by me on 31-5-1999.)

JUSTICE R. RAMAKRISHNA, Presiding Officer

नई दिल्ली, 16 जून, 1999

का. आ. 1963—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार कोलार ग्रामीण बैंक के प्रबन्त के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण बंगलौर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-06-1999 को प्राप्त हुआ था।

[नं. एल.-12012/100/95-आई.आर. (बी.-I)]
सनतन, डेस्क अधिकारी

New Delhi, the 16th June, 1999

S.O. 1963.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Bangalore as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Kolar Gramen Bank and their workman, which was received by the Central Government on 15-6-1999.

[No. L-12012/100/95-IR(B-I)]
SANATAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT, BANGALORE

Dated, 4-6-1999

PRESENT :

Justice R. Ramakrishna, Presiding Officer
C.R. No. 173/97

I PARTY :

Sri. P. Anand
S/o P. C. Puttanna Polampalli
Varalakunda P.O. Via Perasandra
Kolar-563 101.

II PARTY :

The Chairman
Kolar Gramen Bank
FB No. 5, H.O.
M.G. Road,
Kolar—563 101.

AWARD

1. The Central Government by exercising the powers conferred by clause (d) of sub-section (1) and sub-section 2A of the section 10 of the Indus-

trial Disputes Act, 1947 has referred this dispute vide Order No. L-12012/100/95-IR(B.I) dated 13-8-1996 for adjudication on the following schedule :

SCHEDULE

"Whether the punishment of removal from services inflicted by the management of Kolar Gramin Bank on Shri. P. Anand, Ex-Junior Clerk is proportionate, looking to the background of the case? If not, what relief Shri. Anand is entitled to and from which date?"

2. The first party was working as a Junior Clerk at Yellodu Branch of second party Bank during 1992. The second party discovered some serious misconduct committed by this workman which are punishable under Regulation 19 read with Regulation 30(1) of Kolar Gramin Bank (Staff) Service Regulation 1983, herein after referred as "Regulations". A charge sheet dated 16-12-1992 was issued after keeping him under suspension.

3. It is alleged in charge one that from 26-6-1989 to 20-6-1992 to 10-12-1991 he has made fictitious entry in Sharah payment book as though the payment of Rs. 4,000 was made by a cheque from SB Account No. 1139. No cheque was drawn to that amount not it was paid to the account-holder SB A/c No. 1139 he has deliberately discharged an entry to subsidiary sheet and also altered Sharah Register and made entries by inflating the payment figures, thereby he has mis-utilised for personal use the amount of Rs. 4,000. To cover up his act he has also made fictitious entries in balance book subsequently. In charge No. 2 a payment voucher of Rs. 95 was fraudulently altered and made as Rs. 2095 and his action inflating figures of Rs. 2,000.

4. The workman gave his reply accepting the said misconduct and expressing some family problems made him to commit this misconduct.

5. An enquiry was initiated. This workman pleaded guilty before the enquiry officer. His plea was taken into consideration and a findings was given holding him guilty of the charges levelled against him. The disciplinary authority passed an order of dismissal after giving an opportunity to him. The appellate authority has confirmed the said order.

6. We have framed a preliminary issue to give a finding on the domestic enquiry. The workman has conceded the fairness of the enquiry. Therefore the case is posted to hear arguments on merits.

7. The learned Advocate for the first party has mainly contended that in view of the fact that this workman was pleaded guilty some leniency required to be shown as it relates to punishment. Initially he has placed his reliance to a decision Scooter India Limited V/s. Labour Court, AIR (1989) SA 149. In this case the Supreme Court of India consideration the nature of misconduct has suggested reformative approach which was adopted by the Labour Court. The nature of misconduct is shouting of slogans and distributing pamphlets in th

8. In Jeshwanth Singh Vs. Pepsu Road Ways Transport Corporation, AIR 1984 SC 355, the Supreme Court while appreciating the exercise of Jurisdiction in Section 11A of the Labour Court in respect of a dismissed Driver was found driving the vehicle after taking some intoxicating liquors. Since it was the first party offence, the Supreme Court justified the exercise of jurisdiction under Section 11A by the Labour Court in reduced punishment.

9. In Jithendra Singh Vs. Shri. Baidyanath Aurveda Bhawan Ltd., AIR (1984) SC 976, Supreme Court was examining application of Section 11A by the Labour Court and the interference by the High Court. While dealing with this question the court held that under Section 11A advisedly wide discretion has been vested in the tribunal in the matter of awarding relief according to the circumstances of the case.

10. The charges levelled against this workman gives vivid picture as to how meticulously this workman has committed the offences. Since he was committed the offences knowingly the consequences that will follow, such grave misconduct is in-excusable under law. The defence taken by the workman cannot be taken for any consideration to cover up his misconduct. In the above circumstances the following order is made :

ORDER

The Management of Kolar Gramin Bank are justified in imposing the punishment of removal from services for the misconduct committed by the first party.

The reference is answered accordingly.

(Dictated to the stenographer, transcribed by her, corrected and signed by me on 4-6-1999.)

JUSTICE R. RAMAKRISHNA, Presiding Officer

नई दिल्ली, 17 जून, 1999

का. आ. 1964 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मेट्रो रेलवे के प्रबन्धन के संवद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कलकत्ता के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-6-1999 को प्राप्त हुआ था।

[सं. एल.-41011/16/98-आई. आर. (बी-1)]

सनातन, डेस्क अधिकारी

New Delhi, the 17th June, 1999

S.O. 1964.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Metro Railway and their workman, which was received by the Central Government on 4-6-1999.

[No. L-41011/16/98-IR(B-I)]

SANATAN, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL AT CALCUTTA

Reference No. 4 of 1999

PARTIES :

Employers in relation to the management of
Metro Railway

AND

Their workmen.

PRESENT :

Mr. Justice A. K. Chakravarty,
Presiding Officer.

APPEARANCE :

On behalf of Management :

Mr. L. K. Chattarjee, Advocate.

On behalf of Workmen :

Mr. P. B. Chowdhury, Advocate with

Mr. S. Paul, Advocate.

STATE : West Bengal. INDUSTRY : Railway.
AWARD

By Order No. L-41011/16/98/IR(B-I) dated 24-2-1999 the Central Government in exercise of its powers under section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 referred the following dispute to this Tribunal for adjudication :

"Whether the action of the Metro Railway, Calcutta in denying to regularies the services of 62 contract labour as per attached list is just and fair ? If not to what relief the concerned workmen are entitled ?"

2. When the case is called out today, both the parties are represented by their learned Advocates. An application is filed on behalf of the union praying for passing necessary orders on the ground that the union under misconception of law raised the dispute before this Tribunal and the reference accordingly be treated as bad and liberty be given to the union to raise the dispute in the appropriate forum.

3. In the aforesaid circumstance, since the sponsoring union is not interested in proceeding further in this matter, this Tribunal has no other alternative but to pass a "No Dispute" Award.

4. A "No Dispute" Award is accordingly passed with liberty to the union to take appropriate steps in the proper forum.

This is my Award.

A. K. CHAKRAVARTY, Presiding Officer

Dated, Calcutta,

The 26th May, 1999.

नई दिल्ली, 17 जून, 1999

का. आ. 1965 :—औद्योगिक विवाद अधिनियम,
1947 (1947 का 14) की धारा 17 के अनुसरण

में, केन्द्रीय सरकार मेट्रो रेलवे के प्रबन्धन के संबंध में नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कलकत्ता के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-6-1999 को प्राप्त हुआ था।

[सं. एल.-41011/18/98-आई. आर. (बी-1)]

सनातन, डेस्क अधिकारी

New Delhi, the 17th June, 1999

S.O. 1965.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Metro Railway and their workman, which was received by the Central Government on 4-6-1999.

[No. L-41011/18/98-JR(B-I)]

SANATAN, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL AT CALCUTTA

Reference No. 5 of 1999

PARTIES :

Employers in relation to the management of
Metro Railway

AND

Their workmen.

PRESENT :

Mr. Justice A. K. Chakravarty,
Presiding Officer.

APPEARANCE :

On behalf of Management :

Mr. L. K. Chattarjee, Advocate.

On behalf of Workmen :

Mr. P. B. Chowdhury, Advocate with
Mr. S. Paul, Advocate.

STATE : West Bengal. INDUSTRY : Railway.

AWARD

By Order No. L-41011/18/98/IR(B-I) dated 24-2-1999 the Central Government in exercise of its powers under section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Metro Railway in denying to regularise the services of 214 contract labour safai-walas as per attached list w.e.f. their date of respective date of joining is just and fair ? If not, to what relief the concerned workmen are entitled ?"

2. When the case is called out today, both the parties are represented by their learned Advocates. An application is filed on behalf of the union praying for passing necessary orders on the ground that the union under misconception of law raised the dispute before this Tribunal and the reference accordingly be treated as bad and liberty be given to the union to raise the dispute in the appropriate forum.

3. In the aforesaid circumstance, since the sponsoring union is not interested in proceeding further in this matter, this Tribunal has no other alternative but to dispose of the matter by passing a "No Dispute" Award.

4. A "No Dispute" Award is accordingly passed with liberty to the union to take appropriate steps in the proper forum.

This is my Award.

A. K. CHAKRAVARTY, Presiding Officer

Dated, Calcutta,
The 26th May, 1999.

नई दिल्ली, 17 जून, 1999

का. आ. 1966 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारत ओवरसीज बैंक लिमिटेड, मद्रास के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों, के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण विशाखापट्टनम के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-06-1999 को प्राप्त हुआ था।

[सं. एल.-12012/25/97-आई. आर. (बी-I)]

सनातन, डेस्क अधिकारी

New Delhi, the 17th June, 1999

S.O. 1966.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Visakhapatnam as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bharat Overseas Bank Ltd. Madras and their workman, which was received by the Central Government on 16-6-1999,

[No. L-12012/25/97-IR(B-I)]

SANATAN, Desk Officer

ANNEXURE

IN THE COURT OF INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, VISAKHAPATNAM.

PRESENT :

Sri K. Satyanand, B.Sc., LL.M.,
Chairman, Industrial Tribunal &
Presiding Officer, Labour Court,
Visakhapatnam.

I.T.I.D. (C) 20/97

Dated : 27th day of January, 1999

BETWEEN :

K. Appala Raju,
C/o K. Rajeshwari
D. No. 14-31-3/4,
Ciluru Mansions,
Maharanipeta, Vizag-2. ... Workman

AND

The Chairman,
Bharat Overseas Bank Ltd.,
Head Office : Habeeb Towers,
756, Anna Salai,
Madras-600002. ... Management.

This dispute coming on for hearing before me in the presence of Sri G.R.K. Paramahamsa, Advocate for workman and of Sri D. Dakshina Murty, Advocate for Management, Compromise has been arrived at between both parties and upon perusing the material papers on record the court passed the following :

AWARD

I. D. closed passing nil award in terms of memorandum of compromise.

Given under my hand and seal of the court this the 27th day of January, 1999.

K. SATYANAND, Chairman and Presiding Officer

नई दिल्ली, 15 जून, 1999

का. आ. 1967 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार यूको बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण पटना के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-6-99 प्राप्त हुआ था।

[सं. एल.-12012/262/95-आई आर (बी-II)]

सी. गंगाधरन, डेस्क अधिकारी

New Delhi, the 15th June, 1999

S.O. 1967.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Patna as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of UCO Bank and their workman, which was received by the Central Government on 15-6-1999.

[No. L-12012/262/95-IR(B-II)]

C. GANGADHARAN, Desk Officer.

ANNEXURE

BEFORE THE PRESIDING OFFICER,
INDUSTRIAL TRIBUNAL, PATNA

Reference No. 24 of 1997

Reference No. 18(c) of 1998

Management of UCO Bank, Patna and their workman represented by State Secretary, UCO Bank Employees Association, Patna.

For the Management.—Sri C. M. Maniktala, Dy. Chief Officer (Law) UCO Bank, Zonal Office, Patna.

For the Workman.—Sri B. Prasad, State Secretary, UCO Bank Employees Association, Patna.

PRESENT :

Sri T. L. Verma, Presiding Officer, Industrial Tribunal, Patna.

AWARD

The 7th June, 1999

By adjudication order No. L/12012/262/95/IR (B-II) dated 7-1-1997 the Central Government (Government of India) Ministry of Labour, New Delhi referred u/s 10(1)(d) of the Industrial Disputes Act (hereinafter to be referred as 'the Act') the following dispute between the Management of UCO Bank, Patna and its workman for adjudication to the Central Government Industrial Tribunal No. 1, Dhanbad.

"Whether the action of the Management of UCO Bank in denying regularisation of service of Shri Jagat Narayan Mishra is legal and justified? If not to what relief is the said workman entitled?"

2. After receipt of the adjudication order the reference was registered as Reference No. 24 of 1997 in the aforesaid Central Government Industrial Tribunal and parties appeared but during the pendency of this reference case in the aforesaid Central Government Industrial Tribunal, the Reference was transferred to this Tribunal, the Reference received in this Tribunal on 26-8-1998 was registered as Reference No. 18(c) of 1998 and parties were directed to appear on 10-9-1998 for hearing.

3. The case of the workman in short is that he was orally appointed as temporary peon on 1-4-1988. He continued to work as such upto 14-5-1994. He claims to have performed duties of a regular peon during the aforesaid period. He was initially paid Rs. 15 per day as wages which was subsequently raised to Rs. 22 per day. He was however not paid wages for holidays, Sundays and also bonus. He made representation for regularisation of his services on a permanent post. The representative of the workman however did not evoke any response from the Management. No, therefore, represented to the union to which he belonged to industrial dispute for his regularisation before the Assistant Labour Commissioner(c) (for short A.L.C.(c)). The UCO Bank

1909 GI/99—12.

Employees Association accordingly raised an industrial dispute before the ALC(c) Patna vide letter dated 3-5-1994. It is alleged that the Management on coming to know of the industrial dispute raised on behalf of the workman Jagat Narayan Mishra stopped him from working w.e.f. 14-5-1994 without serving any notice or one month's pay in lieu of notice and retrenchment compensation as required u/s 25F of the I.D. Act. The A.L.C.(c) held conciliation proceeding on different dates and tried to bring about the conciliation between the parties but to no avail. No, therefore, reported the matter to the Government of India for necessary action in the matter. The Government of India after objectively analysing the dispute has made this Reference.

4. The Management has resisted the claim of the workman in their written statement filed on behalf of the Management. It has been averred that the workman was appointed for doing certain contingent nature of work on casual basis by a person not having authority to make such appointment. The workman, it is stated, therefore not a workman within the meaning of section 2(s) of the Act and as such this Reference is not competent and deserves to be rejected.

5. Though the workman is stated to have been disengaged in between the date of conciliation proceeding and making the Reference but the terms of Reference has not made any reference as to the justification or otherwise of disengagement of the workman.

6. In view of the pleadings of the parties the only question that arises for consideration is whether the failure on the part of the Management to regularise the services of the workman Jagat Narayan Mishra was justified or not.

7. The Industrial Disputes Act does not contain any provision regarding regularisation of a workman in service. The Hon'ble Supreme Court, however, in a number of decisions has held that casual worker should not be employed temporarily for a long period and has issued directions to several departments to frame a scheme for regularisation/permanent absorption of such workman who have worked for a minimum specified period or more. The UCO Bank in consultation with the All India UCO Bank Employees Federation have arrived at a settlement regarding empanelment and absorption of persons engaged in daily wages basis. Pursuant to the said settlement the Personnel Department of the UCO Bank Head Office, Calcutta has issued circular No. CHO/PAS/16/89 dated 19-10-1989 wherein guide lines have been laid down for permanent absorption of the persons engaged on the daily wage basis. According to the norms so laid down a person engaged as casual worker for full days work and who has been discharging any of the normal duties in the Bank in the subordinate cadre as casual worker for a parties of 240 days or more with or without interruption during the period of 3 years immediately preceding this settlement would be eligible for being considered for permanent absorption.

8. In view of the above guide lines what is required to be examined is whether the workman Jagat

Narayan Mishra had worked for 240 days or more during the period of 3 years immediately preceding the settlement. The settlement was arrived at on 12-10-1989 so the workman is required to prove that he had completed 240 days as casual worker on daily wage basis during the period October 1986-87, October 1987-88 and October 1988-89.

9. The Management has examined Sri S. B. Roy, Assistant Chief Officer, UCO Bank, Regional Office, Ranchi and filed circular No. CHO/PAS/16/89 dated 19-10-1989 (Ext. M/1), and circular No. CHO/PAS/4/90 dated 31-3-1990-Ext. M/1. The workman has also examined himself as W.W.1 and filed application dated 28-11-1989 for his permanent absorption in the subordinate cadre Ext. W/1, Ext. W/2 break up of the period of employment of the workman during the period from 1-4-1988 to 16-8-1989, Ext. W/3 copy of the letter dated 2-4-1991 sent to the Divisional Office Ranchi for absorption of casual workers in Bank's subordinate cadre, Ext. W/4 copy of the letter rejecting the claim of the workman for regularisation, Ext. W/5 copy of the letter to the A.L.C. in connection with the industrial dispute raised on behalf of the workman, Ext. W/6 copy of the letter from the Zonal Office, Patna to Branch Manager, Bermo Branch calling for parawise comments of the complaint of the industrial dispute raised on behalf of the workman and Ext. 7 copy of the letter dated 4-8-1994 from the Sr. Manager, UCO Bank Bermo Branch to the Zonal Office, Patna.

10. The break up of the period of employment of Jagat Narayan Mishra from 1-4-1988 to 16-8-1989 in Ext. W/2 would disclose that he had worked during that period for 242 days. The Branch Office has given a certificate of correctness of the details given in the proforma of application Ext. W/1. The certificate reads that the information furnished by the applicant have been duly verified and are found to be correct. Clause N of the Format, among other things, is meant for mentioning the nature of the job performed. The entries against this column indicates that the workman Jagat Narayan Mishra was performing the job of peon. The Management witness M.W.1 has admitted that when he joined the UCO Bank, Bermo Branch as Manager, Sri Jagat Narayan Mishra was working there as casual worker. He continued his engagement as casual labour. He has, however, further stated that he was basically working as water boy and was performing miscellaneous job occasionally required by the Branch. This statement of M.W. 1 is not consistent with the entries made in Column H of Ext. W/1 certified to be correct by the Manager of the Branch in 1989. In addition to the above the workman has also, in his statement on oath, given evidence that he worked for six years continuously as a full time peon on daily wage basis. He also states that he had worked for 240 days during the period of 3 years. He was paid wages at the rate of Rs. 15 per day initially and that the same was subsequently increased to Rs. 22 per day. The statement of the workman W.W. 1 that he was performing the job of full time subordinate staff is also borne out from the certificate Ext. W/3 given by the Manager, Bermo Branch. In the certificate it has been very specifically stated that "the workman was doing a full days job as casual worker in subordinate cadre. It also confirms

that the workman had completed a minimum period of 240 days work in the three years period i.e. 12-10-1986 to 11-10-1989 which includes holidays and Sundays. This certificate issued by the Branch Manager coupled with the statement of the workman leads to one and the only conclusion that the that the workman was doing full days job as casual worker in Subordinate cadre and that he had completed required minimum period of 240 days work in that capacity during the period of three years immediately preceding the settlement arrived at in October, 1989. The workman was, therefore, entitled to be considered for permanent absorption in the Subordinate cadre.

11. It is true that regularisation can be done against permanent vacancies. The then Branch Manager of UCO Bank Bermo M.W. 1 has in his cross-examination admitted that in 1991 one Peon Ram Parveen Singh retired and one part time sweeper Nanda expired. The vacancy caused by retirement of Ram Parveen Singh was not filled up either by appointment or through transfer during his tenure as Branch Manager of the said Bank. Jagat Narayan Mishra had applied for regularisation of his service in 1989. His application for regularisation appears to have been rejected on 4-1-1991. Even assuming that on the date no vacancy was available on the date Sri Jagat Narayan Mishra had applied for being regularised, the fact remains that he was entitled to be considered and empanelled for appointment against future vacancies. This also does not appear to have been done. This action of the Management in my opinion was not fair and amounts to unfair labour practice.

12. In the facts and circumstances discussed above, I find and hold that the workman Jagat Narayan Mishra was entitled to be considered for regularisation in terms of the guide lines contained in the circular dated 19-10-1989 (Ext. M/1).

13. The workman appears to have been disengaged w.e.f. 14-5-1994 much before this reference was made. It is apparent from the record that the provisions of section 25F were not complied with in as much as neither one month's notice nor one month's pay in lieu of notice or retrenchment compensation was paid to the workman. Since the Reference does not make any mention of the justification or otherwise of the disengagement, I am leaving this question open. Since the workman had become eligible for being regularised while he was in service his subsequent disengagement will not in any way affect the merit of his claim for regularisation of his service. The Management will do well by giving seniority of the period between his disengagement and regularisation of service pursuant to this Award.

14. This is my Award.

Dated : 7-6-1999.

T. L. VERMA, Presiding Officer.

नई दिल्ली, 15 जून, 1999

का. अ. 1968.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण

में, केन्द्रीय सरकार बैंक ऑफ बड़ोदा के प्रबंधक के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण पणजी, गोवा के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-6-99 को प्राप्त हुआ था।

[सं. एल.-12012/259/97-आई आर (बी-II)]
सी. गंगाधरण, डेस्क अधिकारी

New Delhi, the 15th June, 1999

S.O. 1968.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal Panaji, Goa as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bank of Baroda and their workman, which was received by the Central Government on 15-6-99.

[No. L-12012/259/97-JR(B-II)]

C. GANGADHARAN, Desk Officer

ANNEXURE

IN THE INDUSTRIAL TRIBUNAL GOVERNMENT OF GOA AT PANAJI

(BEFORE SHRI AJIT J. AGNI, HON'BLE
PRESIDING OFFICER)

Ref. No. IT/77/98

Shri J. T. Shetye,

Mapusa—Bardez, Goa ... Workman/Party I
v/s.

M/s. Bank of Baroda,

Panaji—Goa. ... Employer/Party II

Party I—Represented by Adv. A. Nigalye.

Party II—Represented by Adv. P. J. Kamat.

Panaji, dated the 28th April, 1999

AWARD

In exercise of the powers conferred by clause (d) of sub-section (1) and Sec. 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government referred the following dispute for adjudication by order dated 10-7-1998 bearing No. L-12012/259/97/JR(B-II).

"Whether the action of the management of Bank of Baroda in postponing the increment of Shri J. T. Shetye for the days he was suspended i.e. for the period from 9-3-94 to January 1996 is legal and justified? If not, to what relief the workman is entitled for?"

2. On receipt of the reference a case was registered under No. IT/77/98 and registered A/D notice was issued to the parties. In pursuance to the said notice the parties put in their appearance. When the case was fixed for filing of the statement of claim by the workman/Party I (for short, "workman") the workman filed an application dated 7-4-99 at Exb. 4 stating that the applicant has filed a writ petition bearing

No. 352 of 1998 in the Hon'ble High Court of Bombay, at Goa praying that the present reference may be ordered to be withdrawn by the Central Govt., and the direction be given to the Central Government to refer the proper dispute to this Tribunal as the present dispute which has been referred by the Central Government is not the actual dispute between the parties. The workman stated in the said application that the Hon'ble High Court by order dated 14th December 1998 disposed off the said Writ Petition by giving direction to the Central Government to refer the actual dispute between the workman and the employer/Party II (for short, "Employer") and accordingly the Central Government has made a fresh reference to this Tribunal which is registered as Ref. No. IT/23/99. The workman stated that in the circumstances stated above nothing survives in the present reference and therefore prayed that the reference be disposed of by passing a 'no dispute' award. Adv. Shri P. J. Kamat, representing the employer gave no objection for passing no dispute award.

3. Since according to the parties the dispute which is referred by the Central Government to this Tribunal in the present case is not the actual dispute and the Central Govt., has referred the actual dispute between the parties as per the directions of the Hon'ble High Court, Bombay and that the said dispute is registered as Ref. No. IT/23/99, the present reference does not survive since the dispute referred to this Tribunal does not exist. In the circumstances, I hold that the present reference does not survive as the dispute between the parties does not exist. I, therefore, pass the following order.

ORDER

It is hereby held that the reference does not survive as the dispute between the parties does not exist.

No order as to costs. Inform the Government accordingly.

AJIT J. AGNI, Presiding Officer

नई दिल्ली, 16 जून, 1999

का. आ. 1969 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एल. आई. सी. ऑफ इंडिया के प्रबंधक के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण बैंगलूर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-6-99 प्राप्त हुआ था।

[सं. एल.-17012/6/98-आई आर (बी-II)]
सी. गंगाधरण, डेस्क अधिकारी

New Delhi, the 16th June, 1999

S.O. 1962.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Bangalore as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of LIC of India and their workman, which was received by the Central Government on 15-6-99.

[No. L-17012/6/98-JR(B-II)]

C. GANGADHARAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT, BANGALORE

Dated 24th May, 1999

PRESENT :

Justice R. Ramakrishna, Presiding Officer.

C. R. NO. 91/1998

1 PARTY

Smt. Jyothi K.,

W/o Sri K. Chandrashekar Karant,
PO—Kodi Kanyana, Via Sasthan,
UDUPI—576 101.
Karnataka State.

II PARTY

The Sr. Divisional Manager,
LIC of India,
Divisional Office,
Post Box No. 8,
UDUPI-576 101.

AWARD

The Central Government by exercising the powers conferred by clause (d) of Sub-section (1) and Sub-section 2A of Section 10 of the Industrial Disputes Act, 1947 has referred this dispute vide Order No. L-17012/06/98/IR(B-II) dt. 28-10-1998 for adjudication on the following schedule.

SCHEDULE

"Whether the action of the management of LIC in terminating the services of Smt. Jyothi K. with effect from 26-3-97 is justified ? If not, to what relief she is entitled ?"

This reference is received on 9-11-98. Notices were issued to both parties. They are represented by their learned advocates on 26-3-99. The dispute is adjourned for filing Claim Statement on 16-4-99, 3-5-99 and 24-5-99. On all these dates, neither the I Party nor her advocate appeared to file the Claim Statement.

Under Rule 10B the Claim Statement has to be filed within 15 days from the date of receipt of the Schedule or within 15 days from the date of their appearance before this Tribunal. Since the I Party has not complied with the Statutory Provisions and also there is no material for non-filing of the Claim Statement, no adjudication can be made on merits.

Consequent to this the reference is REJECTED.

(Dictated to the Stenographer, transcribed by her, corrected and signed by me on the 24th day of May 1999).

JUSTICE R. RAMAKRISHNA, Presiding Officer

नई दिल्ली, 16 जन, 1999

का. धा. 1970 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार केनरा बैंक के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण बैंगलूर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-6-99 को प्राप्त हुआ था।

[सं. एल.-12012/96/98-आई आर (बी-II)]

सी. गंगाधरण, डैस्क अधिकारी

New Delhi, the 16th June, 1999

S.O. 1970.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Bangalore as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Canara Bank and their workman, which was received by the Central Government on 15-6-99.

[No. L-12012/96/98-IR(B-II)]

C. GANGADHARAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT, BANGALORE

Dated 4th June, 1999

PRESENT :

Justice R. Ramakrishna, Presiding Officer.
C. R. NO. 3/99

I PARTY

The Assistant Secretary,
Canara Bank Staff Union,
'Vikas', Hamilton Complex,
Near D. C. Office,
Mangalore-1.

II PARTY

The Deputy General Manager,
Canara Bank,
Circle Office, Light House,
Hill Road,
Managoler-575 001.

AWARD

1. The Central Government by exercising the powers conferred by clause (d) of Sub-Section (1) and sub-section 2A of the Section 10 of the Industrial Disputes Act, 1947 has referred this dispute vide Order No. L-12012/96/98]IR (B-II) dt. 31-12-1998 for adjudication on the following schedule :

SCHEDULE

"Whether the action of the management of Canara Bank in not absorbing the services of Sri K. Shivram, who is working w.e.f. 4-2-86, is legal and justified? If not, to what relief the said workman is entitled?"

2. Notices are issued to both parties. The II Party is represented by a learned Advocate Sri P. N. Kamesh. The Assistant Secretary, Canara Bank Staff Union who has represented the I Party has sent a letter dt. 28-4-99. He has stated in the said letter :

"Subsequent to the filing of dispute the II Party has absorbed Sri K. Sivaram as Sub-staff w.e.f. 28-9-98. The Employee is fully satisfied with the absorption and not interested to proceed further in the matter. Therefore, the I Party did not want to file any Claim papers and not interested to proceed further in the case".

3. Having regard to the Statement made by the I Party, the reference is rejected.

(Dictated to the Stenographer, transcribed by her, corrected and signed by me on the 4th day of June, 1999).

JUSTICE R. RAMAKRISHNA, Presiding Officer

नई दिल्ली, 16 जून, 1999

का. आ. 1971 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्तर्गत में, केन्द्रीय सरकार विजया बैंक के प्रबन्धतल के सदस्य नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण बैंगलूर के पंचाट को प्रकाशित करता है, जो केन्द्रीय सरकार को 15-6-99 का प्राप्त हुआ था।

[सं. एल.-12012/149/97-आर्द आर (बी-II)]

सी. गंगधरण, डेस्क अधिकारी

New Delhi, the 16th June, 1999

S.O. 1971.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Bangalore as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Vijaya Bank and their workman, which was received by the Central Government on 15-6-99.

[No. L-12012/149/97-IR(B-II)]

C. GANGADHARAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL, TRIBUNAL-CUM-LABOUR COURT, BANGALORE

Dated 8th June, 1999

PRESENT :

JUSTICE R. RAMAKRISHNA, PRESIDING
OFFICER.

C.R. No. 8/98

I PARTY

The General Secretary,
Vijaya Bank Employees'
Federation,
No. 18-22 Byatappa
Building,
Cubbonpet Main Road,
Bangalore.

II PARTY

The General Manager,
Vijaya Bank,
Head Office,
M. G. Road,
Bangalore.

AWARD

1. The Central Government by exercising the powers conferred by Clause (d) of Sub-Sec (I) and Sub-Sec. 2A of the Section 10 of the Industrial Disputes Act, 1947 has referred this dispute vide Order Uo. L-12012/140/97/IR(B-II) dt. 5-1-98 for adjudication on the following schedule.

SCHEDULE

"Whether the action of the management of Vijaya Bank in dismissing the services of

Sri K. N. Lakshminarayana Rai Clerk, w.e.f. 8-3-88 invoking the provisions of 'Voluntary Cessation or employment' contained in Part XVI of the IV Bi-Partite Settlement is legal and justified? If not, to what relief the said workman is entitled?"

2. In this dispute, the I Party was dismissed from service by invoking the Provisions of Voluntary Cessation or employment contained in Para XVI of the IV Bi-partite Settlement.

3. The facts leading to the action of the management briefly stated is as follows. During 1987 and 1988 the I Party was working as a Clerk at D. K. Street branch, Bangalore. He was found continuously absent from 8-3-88. He has not obtained any permission to remain absent nor he has made any application giving reasons for his absence.

4. In view of this, the Bank has issued a notice Ex. M1 dated 28-6-88. A clear direction was given in the said Notice that the I Party shall report for duty within 30 days. Since this notice was acknowledged by the I Party as per Ex M1A and he has failed to report for duty and failed to send any communication to the Bank, the provisions of Clause XVI referred to above was invoked and a final Order dated 5-9-88 was made and communicated to the workman, that he is deemed to have voluntarily relieved from the services w.e.f. 28-7-88. The workman seems to have sent one communication dated 31-5-89 (Ex M4) accepting the fact that he did not strictly comply with the leave rules of the Bank and he shall be permitted to rejoin the services of the Bank. By this letter, he has acknowledged the receipt of Ex. M3.

5. This fact demonstrates that he has approached the Bank after a lapse of 9 months from the date of the Order. The Bank sent a reply as per Ex. M5 that it has taken an action in accordance with the Provisions of Law and he is not entitled for rejoining the services of the Bank.

6. The I Party seems to have raised an Industrial dispute after a lapse of 8 to 10 years. This Tribunal has received a reference dated 5-1-98 on 21-1-98.

7. The I Party raised various contentions justifying his absence and he has also questioned the authority of the II Party to treat his absence as voluntary retirement. He has questioned the contention of the II Party of having received the notice as per the acknowledge Ex. M1A on the ground that some of his family Member might have acknowledged the notice, but, he is not aware of.

8. The II Party have examined an Officer of the Bank as MWJ. This witness gave a detailed evidence as it regards to the fact that the I Party is guilty of cessation of work and further he has stated that the I Party after giving up his right for such a long period has come up with a false plea to get himself benefited. The I Party in his evidence has admitted his continuous absence beyond 90 days, but, his contention was that he was suffering from Jaundice and took treatment from Dr. Jeevandas Hegde and later he started taking native medicines at his village. His

contention is that he has—sent leave application along with Medical Certificate to the then Manager, Sri Shivram Rai.

9. In the cross-examination, he has accepted the fact that he had no proof for having sent the leave application along with medical certificate and he has also not disputed that the address given in the acknowledgement is not a correct address where he and his family members were residing.

10. He has also spoken about his subsequent conduct that he was involved in doing business and also his request to the management during 1990 to convert his housing loan as a general housing loan.

11. The above fact is a complete truth that the I party has accepted the voluntarily absents from the service which has given right to the management to take action under Clause XVI.

12. The learned advocate for the II Party has elicited exhaustive information in the cross-examination with prima-facie proofs that the I Party is indulging in speculation by raising this dispute after a lapse of 8 to 10 years. He has accepted the fact that his business is flourishing and therefore, he appointed a Power of Attorney holder to maintain and administer his properties.

13. Clause XVI is in the nature of a settlement entered between the workman and the management. This Clause envisages the action that is required to be taken by the management in the event of a workman remaining absent unauthorisedly for more than 90 days. Sub-clause (a), (b) and (c) shows to invoke Clause XVI those conditions should be present.

14. As it regards to service of notice the management are accepted to issue notice recognised under Law and there is no provision for a paper publication. Infact, the notice calling the I Party to report for duty within 30 days was duly served. He never complained of non-receipt of the said notice in his representation Ex. M4. Therefore, it is too late in a day for this workman to approach the Tribunal to get the Order favourable to him. A party who is guilty of laches kills his right. He has not explained the delay for raising this dispute after a lapse of 9 to 10 years.

15. Sri Ganapathy Hedge, the learned advocate for the I Party raised some legal contentions in support of the I Party's case. Relying on the decisions reported in Ram August Tiwari Vs. Bindeshwari Tiwari AIR 1972 Patna 102, B. Padmavathi Rai Vs. Parvatamma AIR 1976 Karnataka 97, has submitted that presumption under Sec. 114 of the Evidence Act is required to be invoked as the Notice Ex. M1 was not received by the I Party.

16. This submission of the learned advocate is heard only to reject it. The next submission of the Learned advocate is that the domestic enquiry is contemplated and in the absence of that the voluntary retirement amounts to retrenchment. This submission also without any merits, as by agreement of parties, clause XVI is invoked and the ingredients contained therein is proved.

17. Looking from any angle the I Party has not made out any case to question the justification of termination under Clause XVI of Bi-partite Settlement.

18. For the reasons discussed above, the Order of the management does not require any interference. Therefore, this reference is rejected.

(Dictated to the Stenographer, transcribed by her, corrected and signed by me on 8th June, 1999).

JUSTICE R. RAMAKRISHNA, Presiding Officer

नई दिल्ली, 16 जून, 1999

का. भा. 1972 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सिडिकेट बैंक के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण बंगलूर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-6-99 को प्राप्त हुआ था।

[सं. एल.-12012/303/93-आई. आर. (बी-II)]
सी. गंगाधरण, डेस्क अधिकारी

New Delhi, the 16th June, 1999

S.O. 1972.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Bangalore as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Syndicate Bank and their workman, which was received by the Central Government on 15-6-99.

[No. L-12012/303/93-IR(B-II)]

C. GANGADHARAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT, BANGALORE.

Dated : 3-6-1999

PRESENT :

JUSTICE R. RAMAKRISHNA, Presiding Officer.
C.R. No. 23/94

I PARTY

P. Ramananda Nayak,
S/o P. Subbanna Nayak,
"Kamala Nivas"
Bylakere
UDUPI-576101.

II PARTY

The Deputy General
Manager,
Syndicate Bank, Z.O.
P.B. No. 747,
Mangalore-575 003.

AWARD

1. The Central Government by exercising the powers conferred by clause (d) of sub-section (1) and sub-section 2A of the section 10 of the Industrial Disputes Act 1947 has referred this dispute vide Order No. L-12012/303/93-IR(B-II) dated 22/2/1994 for adjudication on the following schedule :

SCHEDULE

"Whether the action of the management of Syndicate Bank, Mangalore in dismissing Shri P. Ramananda Nayak, Clerk from service with effect from 5-12-1992 is justified ? If not, what relief, is the workman entitled to ?"

2. The first party joined the services of the second party as a Clerk in the year 1971. During the month of January he was working at Manipal Branch of the second party. The second party having discovered that the first party has committed a gross misconduct within the meaning coming under Section 19.5(J) of the Bipartite Settlement have issued a charge sheet dated 14-5-1991 as per Ex. M-1. The allegations of charge is as follows :

That Sri B. P. Prabhu, Clerk, working at our M.I.T. Extension Counter attached to our Manipal Branch, has been maintaining at our Manipal branch, an SOD A/c. No. 1787/88 with a list of Rs. 9,600.

That as at the opening hours of business on 13-1-1989, the said SOD A/c of Sri. B.P. Prabhu, was showing a debit balance of Rs. 9,081.92. That in between 13-1-89 and 18-1-1989 you made a credit entry for Rs. 3,000 in the said overdraft Account with date as 13-1-1989 and with narration "Cash", thereby indicating that the credit pertained to cash remittance and reduced the debit balance in the account from Rs. 9,081.92 to 6081.92.

That infact, on 13-1-1989, no cash as such was received towards the credit of said Overdraft Account and therefore, the entry in question, is a false/fictitious one, made by you in the account.

That thereafter, when on 21-1-1989 the said Sri. Prabhu issued a cheque for Rs. 3,000, on his account, it was paid by the branch on 21-1-1989. On account of above said fictitious/false entry made into the account the payment of the cheque for Rs. 3,000 could be within the limit in the OD account;

That thereafter on 23-1-1989 a sum of Rs. 3,000 was remitted towards the credit of said

account and while doing so, you altered/caused to be altered the date of the credit slip signed by Sri Prabhu, from 13-1-89 to 23-1-1989, without his consent/knowledge.

The above circumstances go to indicate :—

That you received a sum of Rs. 3,000 from the customer of the Branch towards the credit of his OD a/c on 13-1-1989, but after obtaining the customer signature on the credit voucher, you retained unauthorisedly with you the cash and the credit voucher and to evidence that the money has been accounted for, made a fictitious credit in the OD a/c.

That on 23-1-1989, you remitted/caused to be remitted the money by altering the date of the voucher from 13-1-1989 to 23-1-89.

You, thereby, resorted to act of misappropriation of funds and falsification of Banks records.

3. The first party has filed a reply dated 23-8-1991 as per Ex. M-2. For the purpose of proper appreciation of this case the reply is extracted here in below :

I am in receipt of your above referred charge sheet and inform you as follows. I however regret delay in submitting the explanation.

I have received a sum of Rs. 3,000/- (Rupees three thousand only) on 13-1-1989 from Mr. B. P. Prabhu working at our MIT E/C Branch. I was very busy on the said day in my clearing department. I made a credit entry for Rs. 3,000/- in the ledger on 13-1-1989. Infact the cash along with credit voucher was lying in my drawer.

After a few days when I found the cash with credit voucher on 23-1-1989 the same has been credited to his SOD A/c.

I have not made any lapses in my service.

In view of the above and since the same was without any deliberate intention on my part, I hereby admit my guilt in the matter and request you to consider sympathetically as a special case and also bring the matter under clause 19.12(c) of the Bipartite settlement for which I shall be grateful to you.

I hereby assure you that, I will not give room for such lapses in future. Hope you will consider my above request favourably and oblige.

4. However the second party has initiated a domestic enquiry by appointing MW-1 as Enquiry Officer. This workman re-interated the substance of the statement Ex. M-2 before the enquiry officer, on the first day of the enquiry. In view of this submission the enquiry officer is not examined any witness but the documents were marked from MEX-1 to MEX-6.

5. When the Disciplinary authority accepted the finding of the enquiry officer and gave a second show-cause notice proposing the punishment. He once again re-iterated of the stand taken before the enquiry officer and in his reply and prayed for taking a lenient view in the matter. However the disciplinary authority having come to the conclusion that the misconduct is grave in nature has passed an order of dismissal without notice.

6. The first party filed an appeal and he once again prayed for a lenient view in view of the explanations made by him in Ex. M-2. The Appellate Authority has not accepted his plea and confirmed the order of dismissal.

7. This tribunal initially took up the validity of domestic enquiry and gave a finding that the domestic enquiry was conducted in accordance with law.

8. The Learned Advocate for the first party Shri M.R.R. has submitted that the second party failed to prove the allegation of mis-appropriation and therefore the extreme penalty of dismissal is required to be interfered with.

9. As against this submission the learned advocate Smt. Sarvamangala for the second party submitted that the acts committed by this workman is viewed, as shown in the charge sheet, one cannot reach any conclusion other than an act of mis-appropriation. The Learned Council further submitted that the very fact that this workman shown a credit entry for Rs. 3,000/- in the Overdraft account of B. P. Prabhu without remitting the amount compelled to hold that he had an intention to commit a temporary mis-appropriation of the amount in question.

10. If we peruse Ex. M-2 this workman has stated that he has received a sum of Rs. 3,000/- on 13-1-1989 from P. B. Prabhu a clerk working at MIT Extension counter of the second party bank and due to rush of work in the clearing department, he has made a credit entry in the ledger though the credit voucher and the amount was lying in the table drawer. After few days he has found the cash with credit voucher and therefore he has credited the same on 23-1-89 in the account of B. P. Prabhu.

11. Therefore two facts emerge against the workman to prove the allegation of mis-appropriation. Those are, making a credit entry on 13-1-1989 in the account of Prabhu and thereafter crediting the amount on 23-9-1989, after altering the date from 13 to 23.

12. The enquiry officer in his findings Ex. M-7, reached a conclusion that the charges alleged against the first party proved in view of his admission. We have to note here no independent witness were examined including Prabhu the account holder of the same institution to know whether 13-1-1989 was the day where there was heavy transaction and rush. It is also not elicited the reason for the said Prabhu to hand over the money to the first party without remitting the same by himself to his SOD account.

13. The first party in his reply to the charge sheet and also in his explanation to the disciplinary

authority and the appellate authority has taken a defence of forgetfulness due to rush of work and ensuing holidays. But the Disciplinary authority and the appellate authority are not ready to accept the contention of the workman as the credit entry made on 13-1-1989 was taken to reach the conclusion that there was mis-appropriation. Misappropriation means dishonestly converting anything which has been entrusted to be used for some purpose.

14. Technically speaking the act of the first party in with-holding the amount paid to him for crediting until this has been found out amounts to mis-appropriation. Though it has been regretted subsequently this amounts as temporary misappropriation. The act of misappropriation considered as a very serious offence both under Civil and Criminal law. In Criminal law the intention of the party is to be proved beyond reasonable doubt to prove misappropriation. But in Civil law or in an Industrial law any act of this nature will be construed as misappropriation.

15. What this tribunal try to point out is that the enquiry officer has taken into consideration the circumstances to come to the conclusion that the act amounts to misappropriation and not mistake.

16. We have to examine this aspect of the matter by appreciating two circumstances. The first thing is that the first party came up with truth as to the reason for not crediting the amount though the entry was made in the ledger. Secondly there is absolutely no allegation against his past services. Admittedly he has joined the bank in the year 1971. When this alleged offence took place he has already put up nearly 20 years of unblemished services. Both disciplinary authority and appellate authority have not taken this fact into consideration while deciding the factum of punishment. In a circumstances of this nature there is no impediment for a tribunal to apply Section 11A of the act which is benevolent provision introduced in the act by an amendment dated 15-12-1971. If a party commits any offence alleged against him and the same is proved by independent evidence than the logical conclusion is that the said person has committed the said offence deliberately knowing the consequences.

17. But in this case the workman honestly accepts without any reservation and he has also explained under what circumstances he has committed this lapse. Therefore a duty is casted to the Disciplinary authority and the appellate authority to examine this aspect of the matter by taking into consideration the past service of this workman before imposing the punishment.

18. Though the offence alleged amounts to mis-appropriation even then the authorities shall examine the claim record of a person rendered earlier to this alleged misconduct. The consideration of previous record is not an empty formality but this is mandatory. The law laid down in *ZIAKH V/s. 1954(1) LLJ 281*, Bombay High Court; *Shanthilal Fathelal Ahmedabad 1958 ICR 358*; *Mahalakshmi Textile V/s. Labour Court AIR 1964 Mad 51*, *Boro-steel V/s. M. G. Chitale (1974) 2LLJ 84*, *B.C. Mills V/s. I.T. (1969) 28 FLR* these are some of the judgements covering this aspect of the matter.

19. Under Section 11A this tribunal is having a jurisdiction to set aside the order of discharge or dismissal when it is proved that the order of dismissal or discharge was not justified. To come to such conclusion the facts and circumstances of each case requires examination. There is a case where misappropriation is not proved to the extent law requires and there is a clean record of service of the workman.

20. Infact in R. M. Parama Vs. Gujarath Electricity Board, reported in (1982) Lab IC 1031. The Lordship Justice Thakkar, Chief Justice of Gujarat High Court has vented the feelings of the law as it relates to punishment in the following words :

1. When different categories of penalties can be imposed in respect of the alleged fault, one of which is dismissal from service, the disciplinary authority perforce is required to consult himself for selecting the most appropriate penalty from out of the range of penalties available that can be imposed, having regard to the nature, content and gravity of the default. Unless the disciplinary authority reaches the conclusion that having regard to the nature content and magnitude of the fault committed by the employee concerned, it would be absolutely unsafe to retain him in service, the maximum penalty of dismissal cannot be imposed. If a lesser penalty can be imposed without seriously jeopardising the interest of the employer the disciplinary authority cannot impose the maximum penalty of dismissal from service. He is bound to ask the inner voice and rational faculty why a lesser penalty cannot be imposed.

2. It cannot be overlooked that by and large it is because the maximum penalty is imposed and total ruination stares one in the eyes that the employee concerned is obliged to approach the court and avail of the costly and time-consuming machinery to challenge in desperation the order passed by the disciplinary authority. If a lesser penalty was imposed, he might not have been obliged to take recourse to costly legal proceedings which result in loss of public time and also result in considerable hardship and misery to the employee concerned.

21. Having regards to these facts and circumstances the order of dismissal made by the disciplinary authority and confirmed by the appellate authority requires re-consideration for the reasons discussed in the body of this award, the following order is passed.

ORDER

The second party were not justified in imposing the punishment of dismissal. Any lighter punishment would have justified the action. However taking into consideration the contribution made by this workman compelling the second party to conduct a domestic enquiry his contribution to these development taken into consideration. Therefore the order of dismissal is set aside. The first party is entitled for re-instatement to the post he was holding with immediate effect. He is entitled to 1909 GT/99—13.

25 per cent of back-wages, He shall have continuity of service.

(Dictated to the stenographer, transcribed by her, corrected and signed by me on 3-6-1999.)

JUSTICE R. RAMAKRISHNA, Presiding Officer

नई दिल्ली, 16 जून, 1999

का. आ. 1973 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार कॉर्पोरेशन बैंक के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बंगलूर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-6-99 को प्राप्त हुआ था।

[सं. एल.-12012/322/91-आई आर (बी-II)]

सी. गंगाधरन, डेस्क अधिकारी

New Delhi, the 16th June, 1999

S.O. 1973.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Bangalore as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Corporation Bank and their workman, which was received by the Central Government on 15-6-99.

[No. L-12012/322/91-IR(B-II)]
C. GANGADHARAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT, BANGALORE

Dated, 8th June, 1999

PRESENT :

Justice R. Ramakrishna, Presiding Officer.
C.R. No. 18/1992

I PARTY :

The Joint Secretary,
Corporation Bank
Employees Union,
No. 93/4, IV Main,
Malleshwaram,
Bangalore-3.

II PARTY :

The Chairman,
Corporation Bank,
Head Office,
P. B No. 38,
Mangalore-575 001.

AWARD

1. The Central Government by exercising the powers conferred by clause (d) of Sub-section (1)

and Sub-section 2A of the Section 10 of the Industrial Disputes Act, 1947 has referred this dispute vide Order No. L-12012/322/91-IR(B-II) dt. nil for adjudication on the following schedule.

SCHEDULE

"Whether the management of Corporation Bank is justified in withdrawing one annual increment of Sri G. N. L. Murthy, Clerk, working in Robertsonpet Branch of the Bank? If not, to what relief he is entitled to?"

2. During 1989, the I Party was working as a Clerk at KGF, Robertsonpet branch of II Party Bank. He was found disobeying the lawful instructions given by his superiors relating to the transactions of the Bank. In fact, on several occasions he was found indulging in indecent and dis-orderly behaviour in the premises of the Bank. This tendency of the workman resulted in negligence in performing duties, committing nuisance in the premises of the Bank, lack of courtesy towards officers and customers. The II Party after issuing a Show Cause Notice Ex. M1, has initiated domestic enquiry as the explanation of the workman Ex. M2 was found unsatisfactory.

3. MW1, an official in Human Resources Development Department of the II Party Bank was appointed as an Enquiry Officer who conducted the domestic enquiry in accordance with Law and Principles of Natural Justice. The II Party accepted the findings of the Enquiry Officer and the Disciplinary Authority after giving a 2nd Show Cause Notice proposing the punishment as not satisfied with the representation of the I Party, imposed the punishment of stoppage of one future increment of pay with cumulative effect against the proposed punishment of stoppage of 2 future increments.

4. The I Party who challenged this punishment by raising an Industrial dispute has filed his Claim Statement against the said Order. The Management filed their counter statement justifying their action. A preliminary issue was framed to give a finding on the validity of domestic enquiry. After examining the Enquiry Officer as MW1, due to absence of the I Party and his Advocate continuously the cross-examination was closed. A finding on the validity of domestic enquiry was given in favour of the management.

5. When the matter came up for final argument, the I Party and his advocate were again found absent. Therefore, the learned advocate for the II Party was heard on merits.

6. The materials available in this dispute prima-facie shows that the II Party after giving full opportunity to the I Party to prove his innocence against the alleged mis-conduct have proceeded to inflict the punishment stated above on the proved mis-conduct. The I Party except his Claim Statement has miserably failed to prove that the Order of punishment was either disproportionate or made without any material particulars.

7. Having regard to these facts and circumstances, the reference is rejected.

(Dictated to the stenographer, transcribed by her, corrected and signed by me on the 8th day of June, 1999).

Justice R. RAMAKRISHNA, Presiding Officer

नई दिल्ली, 16 जून, 1999

का. घा. 1974 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेन्ट्रल बैंक ऑफ इंडिया के प्रबंधन के संबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण बंगलूर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-6-99 को प्राप्त हुआ था।

[सं. एल.-12012/330/92-आई डार (बी-II)]

सी. गंगाधरन, डेस्क अधिकारी

New Delhi, the 16th June, 1999

S.O. 1974.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Bangalore as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Central Bank of India and their workman, which was received by the Central Government on 15-6-99.

[No. L-12012/330/92-IR(B-II)]
C. GANGADHARAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT, BANGALORE

Dated, 8th June, 1999

PRESENT :

Justice R. RAMAKRISHNA, Presiding Officer.
C.R. NO. 90/92

I PARTY :

Sri K. Srinivasa Rao,
Mandavelli,
Madras-600 028.

II PARTY :

The Regional Manager,
Central Bank of India,
Regional Office,
Bangalore-560002.

AWARD

1. The Central Government by exercising the powers conferred by clause (d) of sub-section (1) and sub-section 2A of Section 10 of the Industrial Disputes Act, 1947 has referred this dispute vide Order No. L-12012/330/92-IR(B.II) dated

21-12-1992 for adjudication on the following schedule.

SCHEDULE

"Whether the action of the management of Central Bank of India is justified in dismissing Sri Srinivasa Rao from service w.e.f. 6-4-1985? If not, to what relief the workman is entitled to?"

2. The I Party joined the services of the II Party Bank on 16-5-1968 as a clerk. The II Party issued a Charge Sheet dt. 21-3-1984 for having committed gross mis-conduct as laid down under Para 19.5 of the Bi-partite Settlement. The concise charge made against the I Party is reproduced.

Charges :

- (i) While working as Teller at J.C. Rd. Branch he forged the signature of Sri P. Kumaran Nair, who was having HSS Account No. 3784 in the joint names of Sri P. Kumaran Nair and Mrs. V. Vijayalakshmi and fraudulently withdrew Rs. 2,000 on 29-11-1983 and another Rs. 2,000 on 2-1-1984. Thus, he has mis-appropriated Rs. 4,000 from the above mentioned HSS Account with malafide intentions to cheat the customer and the Bank.
- (ii) Similarly, on 7-12-1983, he fraudulently withdrew a sum of Rs. 10,000 from HSS Account No. 2321 of Sri Krishna Reddy, by forging the signature of the Account Holder. Thus, he has mis-appropriated Rs. 10,000 with malafide intention to cheat the customer and the Bank.
- (iii) He had borrowed Rs. 2,000 from Sri B. C. Ramu, who was having HSS Account No. 4415 with J. C. Road Branch. In the repayment of the above loan, Sri K. Srinivasa Rao had given a cheque of Rs. 2,000 drawn on his own HSS Account to Sri B. C. Ramu. On 9-12-1983, the party deposited the said cheque along with the paying-in-slip for crediting into his HSS Account No. 4415 handing over the same to Sri K. Srinivasa Rao. Sri K. Srinivasa Rao duly put the "transfer" stamp of the Bank on the counter foil of the Paying-in-slip and handed over the same to the Account holder. He also made a credit entry of Rs. 2,000 in the pass-book of the Account holder. However, the same amount was never credited into the Party's Account and thus, he has made a fictitious credit entry in the pass book with an intention to mis-lead and thus cheat him abusing his official position.

3. Since the act of the I Party was grave in nature the II Party decided to conduct a domestic enquiry by appointing MW1 as an Enquiry Officer. On the 1st day, of the enquiry, the workman appeared and pleaded guilty when the charges were explained to him. However, the management decided to prove the charges independently and have allowed the Enquiry Officer to give permission for examining the

witnesses independently. After examining the witnesses the Enquiry Officer had taken into consideration, the plea of guilt, the oral and documentary evidence and thereafter he having come to the conclusion that the charges were proved has submitted his Report on the enquiry.

4. The Disciplinary Authority accepted the Report. The contention of the I Party that due to some commitment he resorted to commit this mis-conduct was not accepted either by the Disciplinary Authority or by the Appellate Authority.

5. Initially, we have given a finding on the validity of Domestic Enquiry in favour of the management. The I Party and his advocate found absenting themselves in this case. Infact, after a finding was given on the validity of Domestic Enquiry the learned advocate who was representing this workman has filed a memo of retirement. The Memo was accepted and the II Party was heard.

6. The facts discussed above clearly shows that the I Party has committed the offence shown in the Chargesheet. He cannot take up the plea that some compulsion made him to commit this offence, cannot be accepted. Since the misappropriation of the amounts was deliberate and intentional the same cannot be viewed sympathetically. Since the Order of dismissal for the proved mis-conduct does not shock the consciousness of any Authority, any interference will amount to a mis-placed sympathy. In the result, I make the following Order.

ORDER

The II Party were justified in dismissing the services of the I Party w.e.f. 6-4-1985. The reference is answered accordingly.

(Dictated to the Stenographer, transcribed by her, corrected and signed by me on the 8th day of June, 1999).

JUSTICE R. RAMAKRISHNA, Presiding Officer.

नई दिल्ली, 14 जून, 1999

का. आ. 1975:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार विशाखापटनम पोर्ट ट्रस्ट के प्रबन्धन के संबंध में निदिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, हैदराबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 14-6-99 को प्राप्त हुआ था।

[सं. एल.-34011/11/85-डी-IV(ए)]

[सं. एल.-34011/12/85-डी-IV(ए)]

बी. एम. डेविड, डेस्क अधिकारी

New Delhi, the 14th June, 1999

S.O. 1975.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Hyderabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Visakhapatnam Port Trust and their

workman, which was received by the Central Government on the 14-6-1999.

[No. L-34011/11/85-D-IV(A),
No. L-34011/12/85-D-IV(A)]
B. M. DAVID, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL-I AT HYDERABAD

PRESENT :

Sri C. V. Raghavaiah, B.Sc., B.L., Industrial Tribunal-I.

Dated : 28th day of April, 1999

Industrial Dispute Nos. 8 and 16 of 1992

BETWEEN

The General Secretary,
Port & Dock Employees Association,
Rama Padma Nilayam,
D. No. 14-25-32A (Upstairs) Dandu Bazaar,
Maharanipet,

Visakhapatnam-530002(AP).

.. Petitioner

AND

The Chairman,
Visakhapatnam Port Trust,
Visakhapatnam-530035(AP).

.. Respondent

APPEARANCES :

Sri G. Vidya Sagar, Advocate for the Petitioner.

Sri K. Srinivasa Murty, Advocate for the Respondent.

COMMON AWARD

As both the I. Ds are interlinked, parties are same and disposed off by the Hon'ble High Court by a common order while remanding them for fresh disposal the following common award is passed :—

I. D. No. 8/92

This is a reference made by the Government of India Ministry of Labour by its order No. L-34011/11/85-D.IV (A) dated : 20-2-1992 under Section 10(1)(d) R/w Section 2A of I.D. Act for adjudication of following dispute:

"Whether the action of the management of the Visakhapatnam Port Trust in changing the service conditions of fourteen assistant foremen in Ore Handling Complex by effecting proposed change of allocation of duties with effect from 9-12-1984 without following the provisions of Section 9A of I.D. Act 1947 is justified ? If not, to what relief the workmen are entitled ?"

I.D. No. 16/92

This is also a reference made by the Government of India, Ministry of Labour by its order No. L-34011/12/85-D.IV (A) dated : 18-2-1992 and 11-3-1992 under the above provisions of I.D. Act for adjudication of the following dispute :

"Whether the action of the management of Visakhapatnam Port Trust in insisting the workmen appended below to follow the new Roster with effect from 19-12-1994 without giving a notice under Section 9-A of I.D. Act 1947 and also in refusing to pay the wages for the said period to the said workers is justified ? If not, to what relief the workers are entitled ?".

List of Assistant Foremen

S/Sri

1. G. Sivaram Babu
2. M. Gavarasiah
3. K. Sanyasi Naidu
4. G. Ramamurthy

5. M. A. Mazeed
6. G. Gopalakrishna
7. N. N. Nageswara Rao
8. Ch. Thatha Rao
9. M. M. Haque
10. M. Kameswara Rao
11. K. Maria Das
12. K. V. Appalaraju
13. S. Appalanarasimham
14. V. Krishna Murthy

List of Up Grade Asst. Foremen

1. P. V. Subbarayudu
2. K. Venugopala Rao
3. M. Nageswara Rao
4. D. Venkata Rao
5. P. S. N. Murthy
6. K. Venkateswara Rao
7. A. L. Narayana Rao
8. V. Nandikeswara Rao
9. P. Durga Prasada Rao

After both the above references are received by this Tribunal they are numbered as above. On being served with notices in both the references the parties made their appearance through their advocates and filed their respective pleadings.

2. The case of the petitioner in ID 8/92 as per the claim statement filed by it briefly is as follows: The petitioner is a registered union, having been registered under Trade Unions Act in the year 1970. The majority of the workmen working in the Ore Handling Complex of the Respondent which was constituted under the provisions of Major Port Trust Act are the members of the petitioner union. There are about 1400 workers in the above Complex which consists of 6 sections like Operation Maintenance, Electrical, Locos, TXR and stores. In operation section there are 5 category of employees like operator Grade II operator Grade I Asst. Foremen, Foremen and Asst. Engineer. The 14 workmen concerned in these references belong to the category of Asst. Foremen, category I to IV are classified as Class III Employees while category V is classified as Class II Officer cadre. The wages of all the employees are governed by settlements. The Ore Handling Complex which was formed in the year 1965 was extended in the year 1975. Work studies are conducted in the year 1976 by the Port Official who recommended for upgrading 58 posts of operator Grade II to Category I in the mechanical house. Based on the said recommendation, 35 Grade II Operators are upgraded with effect from 1-3-1978, later National Productivity Council conducted study of the working of above complex and recommended for up grading 8 posts of operator Grade II to Grade I.

It is stated that there are 12 houses known as H1 to H10, H5A and H7A. In H1 and A3 Grade II operators are posted to run the houses while in the other houses Grade I operators are posted in three shifts and they have to run the respective points. The allocation of duties is being done by the Plant Supervisor (O/M) on the advice of Chief Mechanical Engineer, on 3-6-1984. While so contrary to National Productivity Council recommendation the plant superintendent introduced altogether new allocation for Asst. Foreman and Operators Grade I to be effective from 9-12-1984 which was exhibited on notice board on 5-12-84 as per which Asst. Foremen besides their regular work are asked to work in Mechanical and transfer houses. According to the petitioner the new allocation of work amount to change of service condition as the Asst. Foremen are over burdened with work and the same is illegal as no notice was issued as per section 9A of the I.D. Act aggrieved by the above change of service condition, the petitioner raised dispute before the Asst. Labour Commissioner, Visakhapatnam on 7-12-84 and also moved the High Court by way of WP 16311/84 challenging the above order of new allocation and also sought for interim orders. The WP was later dismissed as against which the petitioner filed WA No. 41 of 1987 which was disposed off on 2-2-87 with a direction to approach the

Industrial Tribunal. As the conciliation ended in failure the conciliation officer sent failure report. The Government refused to refer the dispute after dispute after disposal of the above W.A. Hence petitioner filed WP 14160/91 and the Government referred the dispute in the meanwhile.

It is stated that earlier the Assistant Foreman are doing supervisory work prior to December, 1984 and now they are asked to run the allotted house with a view to reduce the post of operators Grade I and II and increase work load of the Assistant Foreman the petitioner thus prayed for passing award by holding that action of the management is not justified.

3. The respondent filed counter with the following contentions while admitting material averments. It denied that new allocation of work with effect from 9-12-84 amount to change of service condition and is illegal being in violation of Section 9A of I.D. Act. According to the respondent the allocation of duties are done regularly once in 6 months and no additional work allotted to Assistant Foreman. It denied that service conditions are changed with a view to reduce post of operators. It on the other hand contended that the said changes are effected to utilise the available man power in an effective manner. Further according to the respondent the concerned Assistant Foreman are 'not workman' but they are of supervisory category and further they are governed by Fundamental Rules, supplementary rules and Civil Service Rules and hence Section 9A of I.D. Act not applicable. It is not necessary to mention the other averments in the counter. It prayed for rejecting the reference.

4. The case of the petitioner in I.D. No. 16/92 briefly is as follows. The workman concerned in this I.D. and ID 8/92 are one and the same, and the relief sought for is incidental to relief sought for in I.D. No. 8/92. It is stated that the workmen resisted the change of service condition proposed by the respondent which is subject matter of ID 8/92. After the High Court vacated stay granted in WP 16311/84, the management insisted the workmen to follow new muster from 19-12-84 when they reported to duty, they were not allowed to report to duties and not allowed to sign in the muster and they were not paid wages, though representation made to Chairman. Hence the union approached the ALC who reported failure leading to the reference after lapse of 7 years by the Government. The other averments are identical to the averments in ID No. 8/92. It prayed to pass award holding that concerned Assistant Foremen are entitled to wages from 19-12-1984.

5. The respondent filed a counter resisting the claim of the petitioner. According to the respondent, it was justified in not paying the wages as the concerned Assistant Foremen did not report to duty at the place allotted to them as per the change of allocation effective from 9-12-1984. It is not necessary to reproduce the other contention which are identical to the contention in ID No. 8/92 which gave raise to that ID No. 16/92. It prayed for rejecting the reference.

6. On the above contentions, the following point arose for adjudication in ID No. 8/92 :

Whether the action of respondent/Management in changing the service condition of fourteen foremen in one handling complex by effecting the proposed changes of allocation of duties with effect from 9-12-94 without following the provisions of Section 9A of I.D. Act is justified?

7. In ID No. 16/92 the following point formulated for adjudication :

"Whether the action of the respondent/management in insisting the workmen appended in the reference to follow the new muster with effect from 19-12-94 without giving notice under Section 9A of I.D. Act, 1947 and also in refusing to pay the wages for the said period to the said workers is justified or not?"

8. Both the I.Ds. are enquired into separately. In both the I.Ds. Sri A. Rahman, Operator Grade I who is the General Secretary of the petitioner union was examined as WW1, while one U. R. M. Raju, Assistant Personnel Officer and one P. V. Murali Mohan Rao, Plant Supervisor examined

as MW1 and 2 in ID No. 8/92. On a joint memo their evidence in ID No. 8/92 was treated as evidence in ID 16/92 without recording again. Further the petitioner filed Exs. W1 to W12 while Exs. M1 to 13 are marked on behalf of the respondent. In ID No. 16/92 the petitioner filed Exs. W1 to 7 some of which are marked in ID 8/92 while the respondent filed Exs. M1 and 2.

9. On consideration of the material placed on record and the various contentions raised by the respective parties, my learned predecessor passed separate awards on 31-3-1994 in favour of the petitioner accepting its contentions that change of service condition effected in violation of Section 9A of the I.D. Act in respect of 14 Assistant Foremen and they are entitled to wages from 19-12-1984.

10. Being aggrieved by the above awards the respondent management filed WP 14434 and 14431/94 against the awards passed in ID 8 and 16/92 respectively. By common order dated 5-9-1998 the Hon'ble High Court allowed both the writ petitions and remanded the matter for fresh disposal according to law on the following points whether the Assistant Foremen are workmen within the meaning assigned to that expression in I.D. Act and whether the proposed change of condition of service (if at all) is with reference to any of the items specified in the IV the schedule of I.D. Act, on the ground that above points have not been gone into, while upholding the finding of this Tribunal that there was a change in the service condition of the employees. It is observed at page 11 of the order, that three substantial requirements have to be satisfied for invoking Section 9A of the I.D. Act and that this Tribunal gave finding only on one of the requirements. Thus in the above circumstances, these matters came up again before this Tribunal for giving finding on the above two points and for passing fresh award as per law.

11. Hence after remand the following points arose for consideration in the I.D. No. 8/92 :

1. Whether the 14 Assistant Foremen are workmen within the meaning, assigned to that expression in the I.D. Act?
2. Whether the proposed change of conditions of service (if at all) is with reference to any of the items specified in IV Schedule of I.D. Act?

while in ID No. 16/92

1. Whether the 14 Assistant Foremen are entitled for the wages for the period they did not attend to duties at the allotted places?

as the same are disputed by the respondent management while the finding of this Tribunal in the Award passed earlier that there is change in service condition of the above Assistant Foremen were not disturbed by the Hon'ble High Court, hence it cannot be taken that the same has been accepted as correct by the Hon'ble High Court. Answer to the point formulated in ID No. 16/92 depends on answer to points formulated in ID No. 8/92.

I.D. No. 8/92 :

12. Point No. 1.—According to the petitioner union the change of allocation of work effected by the management with effect from 9-12-1984 in respect of 14 Assistant Foremen amount to change of service conditions as they are asked to do besides other regular work of supervision, to attend to Mechanical and transfer house which are the duties of operators Grade I and II as the case may be and the above change of service condition is illegal as it was effected in violation of Section 9A of the I.D. Act which is however disputed by the respondent as according to them Section 9A of I.D. Act is not at all attracted to the facts of the case. Thus the controversy revolves on the question of applicability of Section 9A of I.D. Act as there can be no doubt that effecting change of service condition in contravention of Section 9A is not valid.

13. To attract the above provision the following requirements have to be satisfied :

1. The management propose to effect a change in the condition of service. A finding was already record-

ed on this point in the earlier awards and the same was not disturbed. Hence it became final. This Tribunal held that change of allocation of duties with effect from 9-12-1984 amount to change of condition of service.

2. Such condition of service must be with reference to a category of person who can be called workmen within the meaning assigned to it in I.D. Act.
3. Such proposed change in condition of service must be with reference to one of the items specified in the Fourth Schedule.

The matter was remanded for fresh disposal as no finding recorded on these two important points in the earlier awards passed by this Tribunal.

14. The result of these references depend on the finding on the above two points. If they are answered in favour of the petitioner, the references have to be answered in their favour as was done earlier. No additional evidence adduced by either party after remand while the petitioner advanced arguments, the respondent filed memo on 28-1-99 stating that parties are trying for settlement and seeking for time. Though sufficient time was given neither settlement reported nor arguments advanced on behalf of the respondent. Hence the matter is disposed of on the basis of material available on record and contention raised by the respondent in its counters.

15. Before adverting to the merits of the rival contents, it is useful to set out admitted facts which are identical in both the I.Ds. for proper appreciation. The petitioner is a registered union. The 14 Assistant Foremen concerned in this dispute are members of the petitioner union. They are working in Ore Handling Complex in which there are 6 sections and 12 mechanical houses. Ex. W1 is the lay out of the above complex. There are Category I and II Operators in the above Handling Complex. The mechanical houses are manned by the operators. Ex. W3 is the allocation of duties of operator grade I with effect from 3-6-84. Ex. W5 same as Ex. M5 is the allocation of duties of Assistant Foremen with effect from 15-7-84. The duty of the Assistant Foreman is to supervise the work of the Operators. Their duties were however altered under Ex. W6 proceedings dated 5-12-1984 same as Ex. M4 by ordering them to work in mechanical house in addition to their regular work by removing Grade I Operators from Mechanical Houses as per Ex. W5 proceedings dated 5-12-1984. The above additional work has assigned to the Assistant Foremen concerned in the dispute without giving prior notice. The petitioner union gave Ex. W7 representation on 6-12-1984 to the Chairman of the respondent Port Trust on seeing the notice of change of allocation of duties, on the notice board, to keep the same in abeyance. But the management did not agree for the same. Hence the union approached the Assistant Labour Commissioner (Central) on 7-12-1984.

16. The petitioner filed WP No. 16311 of 1984 aggrieved by Ex. W6 proceedings changing allocation and obtained stay of Ex. W6 proceedings i.e. change of allocation. Aggrieved by the same the respondent filed WA No. 1636/84 unsuccessfully vide Ex. M8 in WPMP No. 21574/84. But later the above writ was dismissed on 23-7-86 vide Ex. M7 Aggrieved by Ex. M7 order the petitioner filed WA No. 41/87 which was allowed directing the petitioner-union to approach this Industrial Tribunal as borne out by Ex. W9.

17. In the meanwhile pursuant to Ex. W7 representation dated 7-12-84 the Assistant Commissioner of Labour initiated conciliation proceedings. Ex. W10 is the copy of the minutes of the meeting held on 28th and 29th December, 1984. But it ended in failure as per W17 the failure report dated 25-6-85. But the Government of India failed to refer the dispute in spite of direction in WA No. 41/87. Hence the petitioner filed WP No. 14160/91 against the Government of India to direct it for referring the dispute of this Tribunal. But in the meanwhile this dispute is referred.

18. Ex. M1 is the xerox copy of nature of duties and responsibilities of operation staff like Assistant Foremen, Operator Grades I and II working in Ore Handling Complex. Ex. M2 is the xerox copy of Section 9 A of I.D. Act. Ex. M9

proceedings dated 28-11-1983 of the promotional opportunities to Class III and IV employees, i.e. promotion after 8 years service as on 1-11-1983. Ex. M10 is xerox copy of upgradation in O.H.C. (Operation Section) Ex. M11 is xerox copy of extract of defence work study report Ex. M12 is the xerox copy of extract of National Productivity Council report while Ex. M13 is the xerox copy of extract of Suman Committee Report. The respondent appointed above committee to study man power requirement and deployment of available man power for their effectual utilisation.

19. WW1 (Sri Rehman) is the General Secretary of the petitioner union and he is working as operator Grade I, MW1 U. R. M. Raju is working as Asst. Personnel Officer while WW2 P.V. Murali Mohana Rao is working as Plant Superintendent in the respondent company. As per Section 9A of I.D. Act. Change of service conditions of the workers cannot be effected without giving prior notice to the affected workers. If the same is affected without required notice the same has to be held as unjustified.

20. Bearing the above undisputed facts and provision of Section 9A of I.D. Act, I shall now proceed to consider the question covered by this point i.e. whether the affected Asst. Foreman are workmen within the meaning of Section 2(s) of I.D. Act as the above provision is applicable only to the workmen but not to other category of employees. It is useful to extract the definition of workmen given in Section 2(s) of I.D. Act to know whether the 14 affected Asst. Foremen satisfied the above definition as according to the respondent they are not workmen but of supervisory category drawing more than 1600 p.m. as wages. "As per Section 2(s) workman means any person (including as apprentice) employed in any industry to do any manual, unskilled, skilled, technical, operational, clerical or supervisory work for hire or reward whether the terms of employment be expressed or implied xx xx xx xx including dismissed discharged or retrenched in connection or consequence of dispute but does not include.

xx xx xx xx xx "

- (iv) who being employed in a supervisory capacity draws wages exceeding Rupees one thousand and six hundred per month or exercises either by nature of duties attached to the work or by reason of power vested in him, functions mainly of managerial nature.

Thus from the above definition it would appear that person engaged in supervisory category and getting salary exceeding Rs. 1600 is excluded from the category of workmen and Section 9A provides for giving notice before changing conditions of service applies only to 'workmen'. Now let us see the evidence to know whether the Asst. Foremen concerned in this case come under the category of 'workmen'.

21. It is in the evidence of MW1, that Asst. Foremen post is supervisory post and he has to supervise the work of all the persons posted under his control and take care of the equipment. He recommends the leave of the workers working under him and makes alternative arrangement in case of absence of any employee and recommend for disciplinary action to the Manager and Section 9A of I.D. Act is not applicable to the petitioners. He however admitted that no notice with regard to change of allocation given to the concerned workmen. He did not also speak to the salary of the Asst. Foremen. The evidence of MW2 Plant Superintendent would also show that the Asst. Foremen is of supervisory category, the nature of his duties are to co-ordinate working of operation of tripping and shipping system in the plant and also to control the operators working in this area and recommend their leave and Ex. M5 is xerox copy of duties and responsibility of the Asst. Foremen as per which he has to Assist Foremen in his duties and in-charge of his respective shift duties. He too did not speak to the quantum of salary drawn by the Asst. Foremen though he stated that I.D. Act is not applicable to them.

22. The evidence of WW1 also would show that work of Asst. Foremen is to supervise. He admitted that there is distinction between workmen category post and supervisory category post. But it has not been suggested to him that Asst. Foremen do not come under category of workmen. On the other hand it is suggested to him that the category of Asst. Engineers was not brought within the purview of I.D. Act and

it was also not suggested to him that Asst. Foremen draw salary Exceeding Rs. 1600.

23. Thus from the evidence placed on record it is obvious that the Asst. Foremen discharge duties of supervisory category. They can recommend for sanction of leave or taking disciplinary action. I am of the view that simply because Asst. Foremen supervise the work of operators Grade I and II and can recommend for their leave and for taking disciplinary action they do not cease to be workmen within the meaning of Section 2(s) as no evidence placed on record with regard to their salaries and as it has been suggested to WW1 that only category of Asst. Engineers working in Ore Handling Complex was not brought under the purview of I.D. Act which would clearly show that Management has impliedly admitted that Asst. Foremen are covered by I.D. Act. There can be no dispute that I.D. Act applies to the category of 'workmen' only. Hence the only inference that can be drawn from the suggestion made to WW1 is that the I.D. Act applies to Asst. Foremen as they belong to category of 'Workmen'. I am of the view that simply because Asst. Foremen supervise the work of operators it cannot be said that they are not workmen as there is no evidence that they are paid salary exceeding Rs. 1600/- besides being employed in supervisory category. Hence I conclude on the basis of evidence on record that the 14 Asst. Foremen concerned in this case are workmen within the meaning of Section 2(s) of the I.D. Act though employed to do supervisory work and as such his requirement of section 9A of I.D. Act is satisfied as Asst. Foremen are not appointed or employed to do mainly managerial supervisory or administrative nature.

24. It is however contended on behalf of the management that Section 9A of I.D. Act is not applicable to the affected persons by virtue of clause (b) as fundamental and supplementary rules, civil service (classification control and appeal) rules, civil service rules are applicable to them. It is submitted in this view of the matter, Section 9A of I.D. Act is not attracted to this dispute and hence no notice need be issued before change of allocation of duty done which is however disputed by the petitioner herein.

25. I find no merit in the contention as MW1 and 2 evidence does not disclose the above facts. They have not stated in their evidence that the fundamental and supplementary rule apply to the Asst. Foremen as such Section 9A is not applicable to them. It has not been suggested to WW1 also that the above provision is not applicable to Asst. Foremen as they are governed by fundamental and supplementary rules, C.C.A. rules etc. It would appear from the remand order in P No. 14434 and No. 14431/94 that the management took this plea in the writ petitions, also. But as stated above no such evidence is placed on record. It is of course true as per clause (b) such category of person to whom fundamental and supplementary rules are applicable, are specifically exempted from the purview of Section 9A. Due to lack of evidence in support of this contention either on behalf of management or suggestion or admission in the evidence or WW1, I find no difficulty in rejecting this contention.

26. I, therefore conclude that none of the ground urged by the respondent in support of its contention that Section 9A of I.D. Act is not applicable to the affected employees are made out. As stated above, on the other hand the evidence on record clearly shows that Asst. Foremen are workmen as defined in Section 2(s) of the I.D. Act for whom Section 9A of I.D. Act is definitely applicable. This point is hence answered against the respondent-management.

27. Point No. 2 :—This deals with the question whether proposed change of condition of service is with reference to any one of the items specified in schedule IV of I.D. Act. This is one of the condition to be satisfied to attract Section 9A of I.D. Act. The Hon'ble High Court directed this Tribunal to give finding on this point also. A perusal of Schedule IV shows that 11 items are mentioned in respect of which notice has to be given to concerned workmen before condition of service is changed.

28. It is contended on behalf of the petitioner that contrary to the recommendation of National Productivity Council, new allocation of work done in respect of affected Asst. Foremen as a result of which their work was increased as they

are asked to attend to Mechanical houses and transfer houses which are early manned by operators in addition to their regular work of supervision, that earlier they are working in 3 zones while they are now asked to work in 12 zones and above change of allocation was done with a view to reduce the strength of the operators and increase the work of Asst. Foremen and it has thus become impracticable for Asst. Foremen to discharge their duties leading to dislocation and damage to plant.

29. The contention of the respondent on the other hand is that on the recommendation of various study committees appointed by the respondent and due to stagnation promotions, 33 grade I Operators are promoted as Asst. Foremen, that due to ban on recruitment, Operator Grade II could not be recruited and hence the available staff are allocated work for their maximum utilisation of man power in the shift of 8 hours and to see that no category of workman is idle that there is no increase in the work load but there is reduction as 3 zones are divided into 12 small regions and hence none of the items mentioned in Schedule IV is attracted to comply with Section 9A of I.D. Act.

30. On a careful consideration of the evidence on record I have no doubt that work load of the Asst. Foremen has increased as they are ordered to attend to additional work in mechanical and transfer houses which were earlier headed by operators besides their regular work of supervisor. Admittedly earlier there are 3 zones like west east and volcanizing zones and duty of Asst. Foremen on the basis of zonal system but by change of allocation zonal system is abolished and area system introduced and on the recommendation of various committee 12 drive houses are allotted to the Asst. Foremen though they were manned earlier by Grade I Operators and 38 stagnated promotions as Asst. Foremen given to Grade I Operators which is the feeder post while Category II Operators is direct recruitment post and feeder post to the post of Category I. It also come out in the evidence that 16 operators Grade I and 21 operators Grade II have been reduced and they were posted to III Trippeler which was commissioned in November, 1984 without filling post of Category II and that as on in the year 1983 there are 42 Asst. Foremen (Operation) for ungrading 28 operator Grade I, 74 operator Grade I and 132 Grade II post. MW2 also admitted that after 3rd Trippeler was commissioned in 1993, 2 Grade I operators 3 Grade II Operators and one Asst. Foremen including the Asst. Foremen concerned in this I.D. Act are posted in each shift. A perusal of various study reports Ex. M10 to 12 would show that they recommended for improving the efficiency of the work in O.I.L.C. by proper deployment of available cadre of workmen to achieve utmost utilisation of manpower.

31. Thus the evidence on record would show that while giving stagnation promotions to Grade I Operators as Asst. Foremen extra work was allotted to them i.e. attending to drive house with the result there is reduction in the category of I and II Operators. The alleged streamlining or rationalisation in fact appears to have led to dislocation of work in various areas and due to lack of proper supervision some of the plants are damaged instead of improvement of plant that besides reduction of workmen though not exactly amount to retrenchment. I therefore feel that item 9 to 11 of Schedule IV are attracted as the change of allocation of work lead to adverse results as there are not enough Grade I and II Operators as no fresh workman could be recruited as Grade II operators or promoted to Grade I. I therefore feel that this condition of Section 9A is also satisfied in this case. Hence I answer this point in favour of the petitioner.

32. Hence I conclude that as there is change in service condition of Asst. Foremen without notice to them as contemplated in Section 9A of I.D. Act the action of the management is not justified.

33. I.D. No. 16/92:—POINT : This deals with the question whether the action of management in insisting the 14 Asst. Foremen to follow new rosters with effect from 19-12-84 and in not paying wages for the said period is not justified.

34. In view of my finding on the two points framed in I.D. No. 8/92 and evidence placed on record, I find no reason to disagree with the conclusions reached by my predecessor in this I.D. Admittedly there is change of allocation with effect from 9-12-84. The union approached the Hon'ble High

Court by filing WP No. 16311/84 to set aside Ex. M6 proceedings marked in ID 8/92. It obtained interim suspension order in WPMP 21574/84 on 18-12-84. The Management filed WA No. 1635/94 against the said order. But the same was dismissed on 24-12-1984 as borne out by Ex. M8 (ID 8/92). But the above W.P. was finally dismissed on 23-3-86 as borne out by Ex. M7 (ID 8/92). Till then interim suspension orders are in force. Hence I feel that management is not justified in insisting to follow new roster and in refusing to pay wages for the period, interim suspension order was in force as it came on record that 14 affected Asst. Foremen are attending to new change of allocation of duties after dismissal of the writ. It is in the evidence of MW2 that affected 14 Asst. Foremen did not report to the area that they are allocated for 10 days from 19-12-1984. I am of the view that as the proceedings issued by the Management changing allocation of duty was suspended from 19-12-1984 the management is not justified in insisting the affected workmen to follow new roster and refuse to pay wages for 10 days from 19-12-1984 on the principle of no work no pay. The point is hence answered accordingly in favour of the petitioner.

35. In the result both the reference are accepted in view of the above discussion. Award is passed in ID No. 8/92 holding that action of the management in changing service condition of 14 Asst. Foremen without following Section 9A of I.D. is not justified. Similarly Award is passed in I.D. No. 16/92 holding that Management is not justified in insisting to follow new roster in spite of stay order granted by the Hon'ble High Court with effect from 19-12-84 and in refusing to pay wages from 19-12-1984. Hence the management is directed to pay wages to the concerned workmen for the period from 19-12-1984 onwards as claimed by them with interest at 12% per annum as observed by learned predecessor in the Award dt. 31-3-1994 passed by him.

36. Awards are passed affirming the awards passed earlier on 31-3-1984 and answering the points on which the matter was remanded by Hon'ble High Court in its order dt. 25-9-98.

Written and passed by me on this 28th day of April, 1999.
C. V. RAGHAVAI AH, Industrial Tribunal-I

Appendix of evidence

Before remand in ID No. 8/92

Witness examined for petitioner

WW1 : A Rahaman

Witness examined for respondent

MW1 : U. R. M. Raju

MW2 : P. V. Murli Mohana Rao

Documents marked for the petitioner/workmen

Ex. W1 : Xerox copy of the lay out of the Ore Handling Complex.

Ex. W2 : Duties of operators posted at Mechanical Houses.

Ex. W3 : Allocation of duties of operator Grade I w.e.f. 3-6-84 (xerox copy).

Ex. W4 : Allocation of duties of Asst. Foremen w.e.f. 15-7-84 (xerox copy).

Ex. W5 : Allocation of duties of Asst. Foremen w.e.f. 9-12-84.

Ex. W6 : Allocation of duties of Asst. Foremen w.e.f. 9-12-84.

Ex. W7 : Representation dt. 6-12-84 made to the management by petitioner.

Ex. W8 : Representation dt. 7-12-84 made to the ALC(C)

Ex. W9 : Order copy dt. 2-2-87 in WA No. 41/87.

Ex. W10 : Xerox copy of the minutes of conciliation proceedings 28 and 29th Dec. 1984.

Ex. W11 : Failure report of conciliation dt. 25-6-1985

Ex. W12 : Representations to the Govt. of India and Chairman of Visakhapatnam Port Trust about the change to the Machinery Belt etc. (consisting of 111 in number) by the union.

Documents marked for the respondent

Ex. M1 : True copy of the allocation nature of duties and responsibilities of operation staff of C.H.C.

Ex. M2 : Xerox copy of the abstract of Sec. 9A of I.D. Act, 1947.

Ex. M3 : Xerox copy of allocation of Asst. Foremen w.e.f. 15-7-84.

Ex. M4 : Xerox copy of the allocation of Asst. Foremen w.e.f. 9-12-84 (revised).

Ex. M5 : Xerox copy of extract of Visakhapatnam Port Trust duties and responsibilities of Foremen (OP) and Asst. Foremen (OP).

Ex. M6 : Xerox copy of Visakhapatnam Port Trust documents of Operator Grade I as Operator Grade II.

Ex. M7 : Copy of WP No. 16311/84.

Ex. M8 : Copy of WA No. 1635/84.

Ex. M9 : Xerox copy of promotional opportunities to Cl. III & IV employees.

Ex. M10 : Xerox copy of the Upgradations—QHS (Operation) Section.

Ex. M11 : Xerox copy of extract work duty report.

Ex. M12 : Xerox copy of Extract of N.P.C. Report.

Ex. M13 : Xerox copy of the Extract of Suman Committee Report.

Documents marked for the petitioner

I.D. No. 16/92

Witness examined for petitioner/
workmen

WW1 : A. Rahman

Witness examined for
respondent/management

Common evidence in ID 8/92

MW1 : U.R.M. Raju

MW2 : P. V. Murali Mohan Rao

Documents marked for the petitioner/workmen

Ex. W1 : Representation dt. 12-12-84 given by the petitioner union to the Management of Visakhapatnam Port Trust

Ex. W2 : Representation dt. 14-12-84 by the Union requesting the Management to pay the salaries for the period from 9-12-84 and 10-12-84.

Ex. W3 : Representation dated 19-12-84 to the ALC(C) Visakhapatnam regarding illegal lock out of OHC by the Management.

Ex. W4 : Minutes of conciliation.

Ex. W5 : Conciliation - Failure report dt. 25-6-85.

Ex. W6 : Representation dt. 27-1-86 to the ALC(C) regarding change of service condition at O.H.C.

Ex. W7 : Statement showing the absents effected in salary Bill 073702 & 073502 in C/W Allocation followed in the operators.

Documents marked for the respondent/management

(Common documents of ID No. 8/92)

Ex. M1 : True copy of the allocation, nature of duties responsibilities of operation staff of O.H.C.

Ex. M2 : Xerox copy of the abstract of Section 9A of the ID Act, 1947.

Industrial Tribunal-I Hyd.

नई दिल्ली, 16 जून, 1999

का. आ. 1976 :—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसर्ग

में, केन्द्रीय सरकार मैसूर गिनरल्स लि. के प्रबन्धन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बंगलूर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-6-99 को प्राप्त हुआ था।

[मं. एन.-29011/17/94-आई. आर. (विधि)]

बी. एम. डेविड, डेस्क अधिकारी

New Delhi, the 16th June, 1999

S. O. 1976.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of Central Government Industrial Tribunal, Bangalore as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Mysore Minerals Ltd., and their workmen, which was received by the Central Government on 16-6-1999.

[No. L-29011/17/94-IR (Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, BANGALORE

Dated, 2nd June, 1999

PRESENT :

Justice R. Ramakrishna, Presiding Officer.
C. R. No. 8/97

I PARTY :

Sri H. M. Gangappa &
Smt. Vanajakshamma G.,
C/o Muruda Naik,
Bellur Post,
Ripponpet, Via.
Hosanagar Taluk,
Shimoga District,

II PARTY :

The Chairman &
Managing Director,
Mysore Minerals Ltd.,
39, M. G. Road,
Bangalore-I.

AWARD

1. The Central Government by exercising the powers conferred by clause (d) of Sub-section (1) and Sub-section 2A of Section 10 of the Industrial Disputes Act, 1947 has referred this dispute vide Order No. L-29011/17/94-IR(Misc.) dated 16-12-94 for adjudication on the following schedule.

SCHEDULE

"Whether the Management of Mysore Minerals Limited is justified in terminating the services of Sri H. M. Gangappa and Smt. G.

1909 GI/99-14.

Vanajakshamma w.e.f. 2-5-1993? If not, to what relief they are entitled to and from which date?"

2. The I Party is husband and wife. The case made out in the Claim Statement by them is that they have been working in the mines belonging to the II Party since 1988. Initially, they were working at Beemasamudra Mines in Chitradurga district. Consequent to closure of this mine, they were sent to work at Asooli Mines near Dandeli at Karwar District. They have worked from 9-2-90 to 10-6-92 continuously. They have been transferred again to Harnahalli Manganese Mines where they have continuously worked from 10-6-92 till their services were terminated w.e.f. 10-5-93, pursuant to display of a Memo No. MML/HMN/PER/93-94/270 dt. 8-5-93 on the Notice Board.

3. Their main contentions are that their services were terminated without any reason and also without giving any notice, hence, the same is liable to be set aside. Their termination order is unjust and illegal. Therefore both of them are entitled to continue in service and they have no other avocation. They have also issued a legal notice after a oral request. Since, their termination is in gross violation of Law they are entitled for reinstatement to their original posts with full back wages and continuity of service.

4. The II party in their counter statement have accepted the fact of I party working in the mines which belong to them at Beemasamudra and Asooli. They raised a contention that they have been appointed by the Mines Manager who had no authority to make appointments and therefore their services are terminated from 10-5-93. Their further contention is that later the I party workmen were retrenched from 9-11-93 by treating them as on duty from 10-5-93 to 9-11-93. They are paid the full rate of wages for this period and also retrenchment compensation. One month's wages also paid in lieu of notice. They have denied the contention of the I party that they have been transferred from Beemasamudra to Asoolie Manganese Mines and according to them the I party should prove this aspect of the matter.

5. They have further contended that the retrenchment notices and compensation sent to them was duly received and they have denied the contention that the I party returned their cheques subsequently.

6. Therefore, it is prayed by the II party that they have retrenched the services of the I party in accordance with Law and therefore they are not entitled to employment and other benefits.

7. The points that require consideration in this disputes are :

(1) Whether the first party workmen worked continuously for more than 240 days in the Mine belonging to the second party?

(2) Whether the second party proved that their services were terminated as their appointment by the Mines Manager was illegal?

(3) Whether the second party proved that they have retrenched the services of the first party workmen in accordance with Law?

(4) What Order?

8. Since the adjudication of this dispute depends on answer to the above points and also the above points are inter-linked with each other. I propose to discuss all the points together.

9. The contention raised in the pleading as it relates to point No. 1, there is not much difference. Indeed, this fact is amply spoken to by one of the workman. Sri Gangappa has justified this fact in his oral evidence. According to him, initially they worked in Bhimasamudra Mines from 2-4-88 to 30-7-89. Thereafter, they have been transferred to Ascolie Manganese Mines. There, they have worked continuously from 9-2-90 to 10-6-92. It is his further evidence that after this they have been transferred to Harnahalli Mines at Shimoga District where they worked from 10-6-92 to 10-5-93.

10. His further evidence is that, though there is continuous service, their service was terminated without following the Law. At the time of their termination their daily wages was at Rs. 24.95. He has produced the wage slip and contribution to PF of himself and his wife which are marked as Ext. W-1 and W-3. According to him he has worked continuously for about 1125 days along with his wife.

11. In the cross-examination the facts stated by this witness in his examination-in-chief was not challenged. The facts elicited in the cross-examination is that retrenchment compensation was sent to the first party and the same was returned after 21 days to the second party. Another suggestion was non competency of the Mines Manager to appoint them.

12. The second party examined an Office Superintendent in support of their counter statement. The contention of this witness is that these workmen were recruited by the Mines Manager without any authority and also during 1990 the Government has issued a ban for employing any workmen, if so, their services are terminated.

13. He further states that during 1993, the management came to know about this illegal appointment and further on the note made by the Managing Director on 5-5-1993, the services of these workmen were terminated w.e.f. 10-5-1993. Since they have learnt that the termination amounts to retrenchment they have sent a letter dated 9-11-1993 treating their termination as retrenchment and paid full wages from 10-5-1993 to 9-11-1993 and also compensation for one month notice period. During 1994, they have attempted to return this amount, but the Company has not accepted. He has produced Attendance statement of both workmen which were marked as Ex. M-1 and Ex. M-2. The retrenchment notice sent to them are also marked as Ex. M-3 and Ex. M-4. The notices alleged to have been sent to them are marked as Ex. M-5 and Ex. M-6.

14. On further cross-examination made to this witness he gives contradictory answers. He says that he do not know that the workmen joined on 2-4-1988 at Bhimasamudra Mines but accepts that they have worked upto 30-7-1989 in that Mine. He has also accepted that fact of transferring them to Asooli Mines and their work in that mine from 3-12-1990 to 10-5-1993, on which date they are terminated. He once again accepts that from Asooli Manganese Mines the above workman transferred to Harnahalli Manganese Mines at Shimoga District. He shows ignorance of having paid any transfer expences to the workmen. He has also accepted the fact that the retrenchment notices Ex. M-5 and Ex. M-6 received on 8-11-1993 and retrenchment compensation was paid through the notices Ex. M-3 and M-4 dated 9-11-1993.

15. In the re-examination of this witness the management have produced two documents Ex. M-7 and Ex. M-8 to support their contention in terminating the services of this workman.

16. If we scrutinise the oral evidence of the workman Gangappa and the evidence of MW-1 M. Narayana and peruse Ex. M-1 and Ex. M-2, the statement of attendance, it is proved beyond reasonable doubt that these workman have worked more than 240 days continuously in a given year their span of work is 5 years. Therefore the first point is to be held in favour of the first party.

17. As it relates to the second point the contention of the second party is that these workman were removed from services due to the fact that they have been appointed by the Mines Manager who had no authority is held to be a false statement. When once MW-1 agrees that these workman have been transferred from Bhimasamudra Mines to Asooli Mines and their to Harnahalli Manganese Mines, the contention is totally failed. Therefore this point is to be held against the second party.

18. The Learned Advocate for the second party has submitted that the termination of the above workmen also due to the circular of the Government of Karnataka Ex. M-7 and the circular of the Company Secretary Ex. M-8.

19. Ex. M-7 is the circular issued by the Secretary to Government of Karnataka informing that the Government has taken a policy decision to stop appointment on daily wages. It is informed that any appointment after this circular will be viewed seriously. This circular is dated 26-6-1990. Ex. M-8 is a circular concerned to Ex. M-7 which contains the same directions.

20. Since the contention raised in the alleged retrenchment notices Ex. M-5 and Ex. M-6 that their appointment was illegal as they have been appointed by the Mines Manager is held to be a false statement and which is definitely not to anything with Ex. M-7 and M-8.

21. With regard to third point the management have miserably failed to prove that they have complied the statutory provisions in retrenching this workman. At the first instance they have stopped

their work by displaying a notice in the notice board w.e.f. 10-5-1992. After a great length of period i.e. on 8-11-1993 they issued an alleged retrenchment notice to show their bonafide. This has been followed by Ex. M-3 and M-4 where they have sent a cheque for Rs. 5,205.45 in respect of each workman which they have considered as 5 months wages from 10-5-1993 to 9-11-1993 and also one month salary in lieu of notice.

22. The learned Advocate for the II party was not able to demonstrate how Ex-M-3 to M-6 are legally valid notices. It is also in the evidence that these workmen after receiving notice and the cheque they have returned the same to the second party after some period. Therefore the second party confused themselves in following the statutory provisions which shows all is not well and an hasty and uncalled for decision was taken by the second party to deprive the avocation of these workmen, when they are legally entitled to have.

22A. In Section 25F the sub-clauses (a), (b) and (c) shall be complied for valid retrenchment. First one months notice in writing shall be given to the workman by giving reasons for retrenchment and in lieu of such notice wages for the month may be paid. Secondly the compensation shall be calculated to 15 days wage pay shall be paid to them. Thirdly the employer shall issue a notice to the Government presumably informing the action of retrenchment and the reason.

23. I have already held that the reason given in the retrenchment notice is a "make-believe" which was not proved. The wordings contained in section 25F is the action shall be simultaneous. The action of retrenchment shall be bonafide and not actuated with any notice. The law is well settled that the non-compliance of Section 25F in the matter of retrenchment the court are empowered to hold that such retrenchment is invalid. Though some of the judicial pronouncement held that issue of notice to the Government is only formal, I do not agree to such proposition. The law does not say that clause (c) in Section 25F is only informal. These conditions were laid down by the legislature to safeguard the interest of the workman in the first place. Therefore I have no hesitation to hold that the action of the second party, making a show of retrenchment is legally untenable and therefore the third point is held against the management.

24. It has come in the evidence that the second party has got more than 22 Mines for Mining Operations. The first party who are the husband and wife have continuously doing the work from 1988 without any remarks and the work was also a continuous one. Therefore the second party are not legally justified in terminating the services of these workmen in the guise of retrenchment. In these circumstances I make the following order :

ORDER

The second party are not justified in terminating the services of Shri H. M. Gangappa and Smt. Vanajakshamma w.e.f. 2-5-1993 as retrenchment. Consequent to this order these workmen are entitled for reinstatement, full back wages and continuity of service.

It is further directed that initially they shall be posted to a mine near by place to Shimoga District.

The reference is answered accordingly.

(Dictated to the stenographer, transcribed by her corrected and signed by me on 2-6-1999).

JUSTICE R. RAMAKRISHNA, Presiding Officer.

नई दिल्ली, 16 जून, 1999

का. प्रा. 1977 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन रेयर अर्थ लि. के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बैंगलोर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-6-99 को प्राप्त हुआ था।

[सं. एल.-29012/42/93-आई. आर. (विधि)]

बी. एम. डेविड, डेस्क अधिकारी

New Delhi, the 16th June, 1999

S.O. 1977.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Bangalore as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Indian Rare Earths Ltd., and their workman, which was received by the Central Government on 16-6-99.

[No. L-29012/42/93-IR (Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, BANGALORE

Dated 9th June, 1999

PRESENT :

Justice R. Ramakrishna, Presiding Officer
C. R. No. 7/1994

I PARTY :

The General Secretary,
Indian Rare Earths Ltd
Mazdoor Sangh,
8/10-A, Kattuvillai,
Azhaganparai P.O.,
Manavalakurichy-629252,
Kanyakumari District.

II PARTY :

The General Manager,
Indian Rare Earths Ltd.,
Manavalakurichy-629252,
Kanyakumari District.

AWARD

1. The Central Government by exercising the powers conferred by clause (d) of Sub-section (1) and Sub-section 2A of the Section 10 of the Industrial

Disputes Act, 1947 has referred this dispute vide Order No. L-29012/42/93-IR (Misc.) dt. 20-1-1994 for adjudication on the following schedule.

SCHEDULE

"Whether the action of the management of Indian Rare Earths Ltd., Manavalakurichy, in denying the scale of pay of Rs. 460-1040 (Pre-revised) to Sri S. Swaminathan, Tradesman 'A' is justified? If not, to what relief the workman is entitled?"

2. The I Party in his Claim Statement stated that for the post of Tradesman (A) fitter his name was sponsored by Employment Office. His further case is that the specific request made by the II Party is for appointment of Junior Fitter Trainee and he was interviewed on 29-3-1988. He was accepted the fact that there was no Tradesman (A) fitter grade at the time of his interview and there was only Junior Fitter in time scale 460-1040. After completion of training period he was absorbed, but, instead of fixing his scale of Rs. 460-1040 he was placed in the time scale of Rs. 440-900.

3. His further grievance is that some 16 fitters who have been appointed as trainees were later appointed as Junior Fitters and after confirming their services, they were also given pay scale of Rs. 440-900 though the pay scale was Rs. 460-1040.

4. According to the I Party he has been signed out from the pay scale of Rs. 460-1040 which amounts to discrimination and arbitrariness.

5. The II Party in their counter statement have contended that the contention of the I Party is covered in a settlement dt. 6-3-1989 and therefore the reference is liable to be rejected.

6. It is further contended that prior to 6-3-89 the II Party did not have a systematised policy and as a practice used to confirm Junior Fitters after completion of 2 years to 460-1040 grade. However, on 6-3-89 the II Party signed a Settlement under Sec. 12(3) of the Act agreeing that those employees who were on training/probation to be confirmed after 6-3-89 were confirmed in Wage Scale of Rs. 440-900 as per the Settlement. Thereafter, a Settlement under Section 18(1) was arrived and all the employees are bound by this Settlement. Under this, all the differences are resolved and in the light of the Settlement this workman was fixed to a wage scale of Rs. 440-900 and therefore there is no error committed by the II Party.

7. My Learned Predecessor has framed some issue which reflects what is stated in the schedule.

8. The II Party in support of their contention examined a Deputy General Manager as MW1.

9. This witness has stated in his evidence that the I Party was appointed during 1991 as Tradesman (A). In the 1989 Settlement, the post of Tradesman (A) was created. This workman was appointed as a Fitter Trainee limited for 2 years on a consolidated pay of Rs. 650 per month in the 1st year and Rs. 750 per month in the 2nd year.

10. After 2 years he has been confirmed to the grade of Tradesman Fitter (A). The offer in the

requisition sent to Employment Exchange, it was shown as Rs. 460-1040. In the Settlement, Ex. M1, certain issues were discussed and regarding the fixing of the wages it is decided to take into consideration the entire point with qualification.

11. In view of this, the wage scale was fixed as Rs. 440-900. He has further stated, that to the workmen appointed prior to this Settlement, the benefit of increased salary of Rs. 460-1040 was given. So, according to him the benefit of the Wage scale of Rs. 460-1040 was given to the workmen who were appointed on or before 6-3-1989.

Since the I Party was made permanent during August 1991 he is not eligible for that benefit.

12. This witness was not cross-examined as the I Party and his advocate remained absent from several months and they have not shown any interest in participating in this dispute. The I Party also did not examine himself.

13. In view of these circumstances, when there is a clear evidence of the management the reason for not fixing wage scale of Rs. 460-1040 and also the workman has not established this fact the following Order is made.

ORDER

The II Party were justified in denying the scale of pay of Rs. 460-1040. The reference is answered accordingly.

JUSTICE R. RAMAKRISHNA, Presiding Officer

नई दिल्ली, 16 जून, 1999

का.आ. 1978 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मुम्बई पोर्ट ट्रस्ट के प्रबंधन के संबंध में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, सं.-2, मुम्बई के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-6-99 को प्राप्त हुआ था।

[सं. एल-31012/2/98-आई.आर. (विवाद)]
बी. एम. डेविड, डेस्क अधिकारी

New Delhi, the 16th June, 1999

S.O. 1978.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal No. 2, Mumbai as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Mumbai Port Trust and their workman, which was received by the Central Government on the 16-6-1999.

[No. L-31012/2/98-IR (Misc.)]
B. M. DAVID, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. II, MUMBAI

PRESENT :

Shri S. B. Panse, Presiding Officer.

Reference No. CGIT-2/95 of 1998

Employers in relation to the Management of
Mumbai Port Trust.

AND

Their Workmen.

APPEARANCES :

For the Employer : Mr. M. B. Anchan,
Advocate.For the Workmen : Mr. Jaiprakash Sawant,
Advocate.

Mumbai, dated 18th May, 1999

AWARD—PART-I

The Government of India, Ministry of Labour by its Order No. L-31012/2/98-IR(M), dated 21-07-1998, had referred to the following Industrial Dispute for adjudication :

"Whether the action of the management of Bombay Port Trust in reducing the pay of Shri Ambika Prasad Mishra by four stages is justified? If not, to what relief the workman is entitled to?"

2. Ambika Prasad Mishra the workman filed a Statement of Claim at Exhibit-6. He contended that he was working as a Depot Superintendent in the stores department of Mumbai Port Trust. He was chargesheeted by Controller of Stores by a memo dtd. 28-4-92. It was alleged that he violated Regulation 3(1) of the Bombay Port Trust Employees (Conduct) Regulations of 1976.

3. The workman averred that he filed his statement to the charge and denied it. He further specifically stated that the alleged Act amounts to violation of B.P.T. Employees conduct regulations and that regulation has no panel provisions. He also called for supply of documents in respect of the inquiry proceedings of Mr. S.R. Hardi Deputy Controller of Stores. It was in respect of the same and similar charges. The copies were not supplied.

4. The workman averred that in a domestic inquiry which was conducted against him the inquiry officer did not supply him the necessary documents which he asked for, he was not asked the mandatory questions which are required to be put to him under the Regulations, and the chargesheet issued is illegal. For all these reasons the inquiry which was conducted against him was against the Principles of Natural Justice. It is submitted that

no fair opportunity was given to him to participate in a domestic inquiry. It is averred that the findings of the inquiry officer are perverse. It is averred that there was no observations of the service regulations by the management and the punishment which is awarded is disproportionate to the charges proved. For all these reasons it is submitted that the punishment awarded be set aside and he may be given all the benefits.

5. The management resisted the claim by the Written Statement (Exhibit-7). It is averred that the inquiry which was held against the workman was as per the Principles of Natural Justice. Jaiprakash Sawant represented the workman in a domestic inquiry. He cross examined the management four witnesses. The copies of the documents were given to the workman. The workman did not examine any witness. After the evidence was over both the sides were given an opportunity to file the written submission. It is therefore submitted that the inquiry which was held against the workman was as per the Principles of Natural Justice.

6. The management pleaded that the documents which were called by the workman were relevant because the management did not rely upon them and informed the workman that they will rely upon the documents which are produced alongwith chargesheet and nothing more. It is averred that the workman did not examine himself nor any witnesses. It is denied that the punishment which was offered to the workman is illegal. It is submitted that the findings of the inquiry officer are proper and the workman is not entitled to any reliefs.

7. The issues are framed at Exhibit-8. The issues Nos. 1 to 3 are treated as preliminary issues. The issues and my findings there on are as follows :—

Issues	Findings
1. Whether the domestic inquiry which was held against the workman was against the Principles of Natural Justice?	Yes.
2. Whether the findings of the inquiry officer are perverse?	Yes.
3. Whether the management did not observe the service regulations applicable to the workman?	Yes.

REASONS

8. The workman was issued a chargesheet dtd. 28-4-93. It is alleged that :—

ARTICLE NO. I

Shri A. P. Mishra, while functioning as Depot Superintendent in the stores department, has failed to maintain absolute integrity and devotion to duty

in that, as per Chairman's approved dtd. 28th August, 1989 to the proposal submitted to him by the Chief Engineer, Deputy Conservator, Chief Mechanical Engineer, Controller of Stores and Addl. Chief Accounts Officer though it was decided to shift steam, coal to the alternative site, namely, Wagon Repair shop, Grain Depot, and condemned steam coal containing powder, earth and stones to Wadala incinerator, Shri Mishra initiated action of disposing of the steam coal of 200 Mt. through limited tenders in November 1989 and has thereby violated Regulation a(1) of the Bombay Port Trust Employees (conduct) Regulations, 1976, rendering himself liable to be proceeded against departmentally under Regulation 12, read with Regulation 12, of the Bombay Port Trust Employees (Classification, Control and Appeal) Regulations, 1976.

ARTICLE NO. II

Shri A. P. Mishra, while functioning as Depot Supdt., in the stores department, submitted a note dated 8th November, 1989 where he mentioned that as per Deputy Controller of stores instructions to Shri Pise, coal/coke dealers from Sewri Coal Depot were taken to Loco Shed, Wadala, with a view to ascertain the value of the material lying there. However, in his statement before the Assistant Chief Vigilance Officer, he has confirmed that he never visited the site either at the time of submitting his note to the controller of stores or after completing the delivery of the material. Shri Mishra by furnishing incorrect information in his note dated 8th November, 1989 has violated Regulation 3(1) of the Bombay Port Trust Employees (Conduct) Regulations, 1976, rendering himself liable to be proceeded against departmentally under Regulation 12, read with Regulation 13, of the Bombay Port Trust Employees (Classification Control and Appeal) Regulations, 1976.

ARTICLE NO. III

Shri A. P. Mishra, while functioning as Depot Suptd. in the stores department submitted a note dated 15th November, 1989 to the Controller of stores that keeping in view the conditions of the material, the rate of Rs. 125 per MT plus 8 per cent Sales Tax offered by M/s. Yadav Brothers, Bombay is considered reasonable. In fact, Shri Mishra had never visited the site to see the quality of the material, Shri Mishra without visiting the site furnished incorrect information to the Controller of Stores regarding the reasonableness of the prices and thereby violated Regulation 3(1) of the Bombay Port Trust Employees (Conduct) Regulations 1976, rendering himself liable to be proceeded against departmentally under Regulation 12, read with Regulation 13, of the Bombay Port Trust Employees (Classification, Control and Appeal).

ARTICLE NO. IV

Shri A. P. Mishra, while functioning as Depot Superintendent in the Stores department, had not followed the procedure of keeping record of having obtained acknowledgements from the tenderers to whom the tender documents for disposal of 200 MT of steam coal through limited tenders in November 1989 had been despatched/delivered. Some of the dealers he had chosen to mention in the tender document were not reputed dealers and on inquiry in the market even their whereabouts could not be traced. Shri Mishra had thus by not following the procedure of keeping records of despatch/delivery of tender documents violated Regulation 3(1) of the Bombay Port Trust Employees (Conduct) Regulations, 1976 rendering himself liable to be proceeded against departmentally under Regulation 12, read with Regulation 13, of the Bombay Port Trust Employees (Classification, Control and Appeal) Regulations, 1976.

9. Jaiprakash Sawant (Exhibit-13) affirmed that the inquiry which was conducted against the workman is against the Principles of Natural Justice because the rule under which the chargesheet was framed has no force of penal law. That Regulation does not lay down the listed misconduct on the basis of the chargesheet copy issued. While arguing the matter he placed reliance on *Abdulla. A. Latifshah V. The Bombay Port Trust & Ors.* 1990 II LLJ wherein their Lordships observed that Where misconduct when proved entails penal consequences, it is obligatory on the employer to specify and if necessary to define it with precision and accuracy so that any ex post facto interpretation of some incident may not be camouflaged as misconduct. Regulation 3(1) reads as under :

General—Every employee shall, at all times maintain absolute integrity and devotion to duty. General Act is only desirable characteristic of a public servant. In Regulation 3(2) onwards various kinds of misconducts by an employee are enumerated. The question is whether in view of Regulation 3(1) can it be said that the petitioner was charged with a listed misconduct and answers obviously is a positive 'no' which is against the respondents. Relying on the above said ratio it can be very well said that the chargesheet which was issued to the workman cannot be said to be a proper chargesheet on which basis the action can be initiated. Obviously the inquiry which was conducted on its basis is against the Principles of Natural Justice.

10. Jaiprakash Sawant (Ex-13) affirmed that at beginning of the inquiry itself, by letter (Ex-9/2) dated 25th May, 1999 he asked for copies of the inquiry proceedings held against Mr. S. R. Hardi Deputy Controller of Stores. It was in respect of the same and similar charges based on the same and similar incidents. Admittedly those copies were not supplied. It is tried to submit that as those copies were not supplied he was prejudiced. He could not

defend properly. It is tried to argue on behalf of the management that the management did not rely upon those documents and therefore the copies were not supplied to him. I find no merit in it. These documents were called by the workman to prepare his defence. These documents were in the custody of the management. It is not that these documents have no relevancy with the incident but the only contention of the management that they do not want to rely upon the same while proving the charges against the workman. That cannot be the ground for denial of the documents. It caused prejudice to the workman. He could not defend his case properly.

11. It is not in dispute that the inquiry officer did not put any question to the workman, in respect of the evidence which was against him. It is tried to submit on behalf of the management that an opportunity was given to the workman to lead evidence and examine the witness. This is not in dispute. But what is tried to argue on behalf of the workman is that Regulation-12(18) clearly specifies that the inquiry authority may after the employee closes his case and shall if the employee has not examined himself general question on the circumstances appearing against him in the evidence for the purpose of enabling the employee to explain the circumstances appearing in the evidence against him. As the employee had not examined himself it was necessary for the inquiry officer to put the questions to him and get the clarification or explanation in respect of the circumstances appearing against him. It is not done in the present matter. Obviously this is a procedural defect. This cannot be called only procedural part but this is a substantial denial of the Natural Justice. In other words the management did not observe the regulations which are applicable to the workman. All these aspects resulted into coming to the conclusion that the inquiry which was held against the workman was against the Principles of Natural Justice.

12. As I have come to the conclusion that the chargesheet which was issued to the workman is not proper, therefore the findings of the inquiry officer that the charges are proved is obviously incorrect. The inquiry officer's report is at Exhibit-9/6. After perusal of the report it can be seen that he had not considered the submissions made by the workman before him in respect of the regulation 3(1). It can be further seen that the analysis which is carried out by the inquiry officer in respect of the witnesses is not proper. He just relied upon them even though it can be seen that from their testimony it reveals that the workman acted as per the directions of the superiors. For all these reasons I record my findings on the issues accordingly and pass the following order :

ORDER

The inquiry which was held against the workman was against the Principles of Natural Justice. The findings of the inquiry officer are perverse.

S. B. PANSE, Presiding Officer

नई दिल्ली, 16 जून, 1999

का.आ. 1979:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारत गोल्ड माइन्स लि. के प्रबंधन के संबंध में निोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बंगलूर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-6-99 को प्राप्त हुआ था ।

[सं. एल-43012/11/93-आई.आर. (विविध)]
बी. एम. डेविड, डेस्क अधिकारी

New Delhi, the 16th June, 1999

S.O.1979.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Bangalore as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Bharath Gold Mines Ltd., and their workman, which was received by the Central Government on the 16-6-99.

[No. L-43012/11/93-IR(Misc.)]
B. M. DAVID, Desk Officer

ANNEXURE BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, BANGALORE

Dated 2nd June, 1999

PRESENT : JUSTICE R. RAMAKRISHNA
PRESIDING OFFICER

C.R. No. 74/94

I PARTY

The President,
BGM Association,
545, Opp: Punjabi Qrs.,
Oorgaum, K.G.F.

II PARTY

The Managing Director,
BGM Limited,
Suvaranabhavan,
Oorgaum, K.G.F.

AWARD

The Central Government by exercising the powers conferred by Clause (d) of Sub. Sec. (1) and Sub-Sec. 2A of the Section 10 of the Industrial Disputes Act, 1947 has referred this dispute vide order No. L-43012/11/93-IR (Misc) dated 13-9-94 for adjudication in the following schedule.

SCHEDULE

"Whether the management of Bharath Gold Mines Ltd. is justified in denying 10 days' wages to the workman, Sri Ranganathan for the period from 20-2-92 to 6-3-92? If not, to what relief the workman is entitled to?"

This dispute is of the year 1992. The I Party workman questioned the denial of 10 days' wages from 20-2-92 to 6-3-92.

At the relevant point of time this workman was working in the Central Assembly and Chemical Laboratory as a Fitter II. The II Party transferred him to work at Nundydoorg Mine Mill by an Office Order dt. 14-2-92. The workman who is supposed to be relieved immediately has reported to the transferred place after 6-3-92. Since the management found that this workman has not worked for about 10 days, after he has been transferred, have deducted the related salary to that period.

The contention of the workman is that when his transfer order was passed he was on privilege leave upto 19-2-92 and he reported for duty on 20-2-92. When he reported for duty on 20-2-92 he was orally advised to report at the transferred place. He has refused to obey the oral instructions for the following instructions:

- (1) Transfer Memo was not served to the workman.
- (2) The concerned workman was the senior most in the department.
- (3) The concerned workman was due to get his promotion.

The contention of the II Party is that the workman remained absent after he has been informed about the transfer and reported for duty at the transferred place only on 7-3-92. Therefore, the wages for the said period was deducted. Therefore, there cannot be any grievance of the workman as it relates to the action taken by the management.

The parties have been permitted to give evidence to give a finding on the schedule to the points of reference.

A preliminary issue was framed by this Tribunal. Since this issue covers the very points covered in the schedule there is no necessity to incorporate this issue in this Order.

The workman to justify his contention examined himself as WW1. He has reiterated the averments made in the Claim Statement in his evidence.

In the cross examination this workman has stated: "I had not signed in the Attendance Register in the Central Assembly Unit for my work done

during the above said 10 days. There is no record to show that I had worked in the Central Assembly Department for the above said disputed 10 days. It is correct to say that I had not reported for duty at Nundydoorg Mill from 20-2-92 to 6-3-92."

The II Party examined the Personnel Manager as MW1 to prove this justification. This witness has stated as per transfer Order dt. 14-2-92 this workman was transferred to Nundydoorg Mill. Though this order was not served on him, he has been informed sufficiently relating to this transfer. He was once again intimated on 20-2-92 when he has reported for duty after availing leave upto 19-2-92. But he has reported to duty at the transferred place only on 7-3-92. Therefore, he is not entitled to claim wages for 10 days.

A contention was raised by the workman that he has worked in these periods in the place where he was working before transfer. But, no material was produced to justify the same.

Having regard to these facts and circumstances, the II Party is justified in denying 10 days wages to this workman as he has not worked for this period.

Reference is answered accordingly.

(Dictated to the Stenographer, transcribed by her, corrected and signed by me on the 2nd day of June, 1999).

JUSTICE R. RAMAKRISHNA, Presiding Officer.

नई दिल्ली, 16 जून, 1999

का.आ. 1980:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेंट्रल सॉल्ट एंड मेरीन केमिकल्स रिमर्च इंस्टिट्यूट के प्रबंधन के संवद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, अहमदाबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-6-99 को प्राप्त हुआ था।

[सं. एल-42012/173/89-डी-2 (बी),

सं. एल-42012/161/89-डी-2 (बी),

सं. एल-42012/172/89-डी-2, (बी)]

बी. एम. डेविड, ईस्क अधिकारी

New Delhi, the 16th June, 1999

S.O. 1980.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Ahmedabad as shown in the Annexure, in the industrial dispute between the

employers in relation to the management of Central Salt & Marine Chemical Research Institute and their workman, which was received by the Central Government on the 16-6-99.

[No. L-42012/173/89-D.2(B)
L-42012/161/89-D.2(B)
L-42012/172/89-D.2(B)]
B.M. DAVID, Desk Officer

ANNEXURE

BEFORE SHRI P.R. DAVE, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL (CENTRAL) AT AHMEDABAD

1. Ref. (ITC) No. 7 of 1990.

ADJUDICATION

BETWEEN

The Administrative Officer/
Managing Director,
Central Salt & Marine Chemical
Research Institute,
Waghwadi Road,
BHAVNAGAR.

—First party.

Vs.

Ramnikhbhai R. Dodia,
C/o R.C. Pathak,
Opp: Anjalee Theatre,
Ahmedabad.

—Second party.

2. Ref. (ITC) No. 8 of 1990.

ADJUDICATION

BETWEEN

The Administrative Officer/
Managing Director,
Central Salt & Marine Chemical
Research Institute,
Waghwadi Road,
BHAVNAGAR.

—First Party.

Vs.

V.B. Joshi,
C/o R.C. Pathak,
F/2 Aalap Flats,
Opp: Anjalee Theatre,
Ahmedabad.

—Second party.

3. Ref. (ITC) No. 9 of 1990.

ADJUDICATION

BETWEEN

The Administrative Officer/
Managing Director,
Central Salt & Marine Chemical
Research Institute,
Waghwadi Road,
BHAVNAGAR.

—First party.

Vs.

1909 GI/99—15.

Y.B. Shukla,
C/o R.C. Pathak,
F/2, Aalap Flats,
Opp: Anjalee Theatre,
Ahmedabad.

—Second party.

In the matter of termination of service.

Appearance : Shri Manibhai G. Gandhi, Advocate,
for the first party.

Shri R.C. Pathak, Advocate, for the
second party.

AWARD

The Desk Officer, Ministry of Labour, New Delhi as per his orders No. 42012/173, 161 & 172/89/D-2/B dated 22-1-90 referred the three industrial disputes as per the schedule mentioned hereunder to this Tribunal for adjudication under Section 10(1) (a) of the Industrial Disputes Act, 1947.

SCHEDULE

"Whether the action of the management of Central Salt and Marine Chemical Research Centre, Bhavnagar is terminating the service of S/Shri Ramnikhbhai R. Dodia, V.B. Joshi, & Y.B. Shukla, L.D.Cs. w.e.f. 23-1-1987 is justified. If not, to what relief the workman is entitled?"

Vide order below Ex.48 Ref.(IT) No. 7 & 8/90 are directed to be consolidated with Ref. (IT) No. 9/90 for the purpose of common award.

2. The second party has filed statement of claim praying to direct the first party management to reinstate the second party workman on this original posts with full back wages and with continuity of service. The facts of the case of the second party, to be briefly stated are as under:

The second party workman S/Shri Ramnikhbhai R. Dodia, V.B. Joshi, Y.B. Shukla were initially appointed as Lower Division Clerks under the control of the first party Central Salt & Marine Chemical Research Institute, Waghwadi Road, Bhavnagar w.e.f. 9-9-85. The appointment orders mentioning the service condition and pay scale etc. were given to the workman and the workman were working continuously till 23-1-1987 and one increment each was also released in the year 1986. The service of the second party workman were terminated w.e.f. 23-2-1987 without mentioning any reason of without following any due procedure of law. The duty of the workman as LDCs is of permanent nature and the second party workman were performing the same regularly under the guise of temporary employees. The first party management wanted to treat the second party as temporary employees only with a view to deprive them of all the benefits of regularisation. As a matter of fact the work which was performed

by the second party workman are continuous. At present also fresh hands are recruited on their posts. While terminating the services of the second party workman no proper notice or notice pay in lieu of notice was given to the second party workman, no departmental action has been initiated against the second party workman, only under the guise of completion of work, service of the workman are terminated. The first party management addressed many letters to employment exchange office demanding fresh employees vide their letters dtd. 20-7-87, 23-7-87 and vide letter No. 994 dtd. 30-9-89. And on the other hand the service of the second Party workman were terminated. The said action of the first party management is ex facie illegal and inoperative in law and amounts to systematic exploitative tactics. Looking to the circumstances the second party workman had to file regular civil suit No. 63/87 before Civil Court, Bhavnagar in which civil court had granted ad-interim relief by way of directing status quo regarding the service condition of the second party and even then the first party management has addressed a letter regarding termination of service of second party workman which was not received by the second party workman and the said action of the first party was amounting to contempt of the Court. In view of tactics of the management and looking to some technical points, the said civil suit was withdrawn by the second party and it approached the Union and hence this reference. It is stated in statement of claim that no seniority list was published, or prepared and the principle of last come first go was openly floated by the first party management and the action of the first party management is also in violation of Article 14 and 16 of the Constitution of India and is also illegal in view of the provisions of I.D. Act, 1947.

3. The first party filed written statement at Ex. 7 denying the facts as stated in the statement of claim and raised the point that the reference is not legally tenable as it involved the question of jurisdiction and jurisdiction lies in the Central Administrative Tribunal as per the notification issued by Govt. of India dtd. 31-10-1986. The Central Administrative Act, 1985 was cited to the management and hence there is no jurisdiction of any other authority i.e. Industrial Tribunal, Gujarat. The first party has also raised the point that they do not fall under the definition of Section 2(j) and 2(k) of the I.D. Act, 1947. It is stated in reply that the second party workman were appointed as LDC w.e.f. 9-9-85 and was relieved w.e.f. 23-2-87, but the workman has not stated the true and correct position about their appointments. The workman have been given appointment letter dtd. 5-9-85 and was appointed purely on temporary and adhoc basis and the workman have accepted

the terms and condition and therefore the act of relieving them is not retrenchment as defined under Sec. 2(o). Hence the question does not arise regarding Sec 25(f) (g) (h) of the I.D. Act, 1947. even though for safety on 23-1-87 an office memo was given to workman showing the reasons of relieving his service and also offering him the legal dues on the same day between 14 hrs. to 16 hrs. and the workman has not accepted the office memo after reading in person and had not come to collect the dues. Hence same was sent by regd. A.D. post to their residential addresses and the next day the establishment sent a letter by Regd. A.D. post with demand draft of dues as he did not come and collect the amount on 23-1-87. between the stipulated time. It is stated in reply that it is not true that fresh hand was recruited on the post of second party workman and the management had adopted exploitative tactics with a view to deprive the benefits of regularisation of second party workman. It is further stated that the first party is a unit of Council of Scientific and Industrial Research (CSIR) and there are many units of CSIR in all over India and CSIR decided to review cadre for development and improve the promotional aspects etc. which resulted in decrease in strength of LDCs and due to cadre review programme at national level some sanctioned posts of LDCs were abolished and those who were appointed temporarily or adhoc were relieved and thereafter the management has not recruited any new person on that post. It is stated in reply that as this was not retrenchment, the procedure regarding retrenchment was not applicable. The first party management had relieved 4 LDCs according to seniority and has not relieved only the second party workman the second party workman is entitled to no relief. It is also stated that the first party is neither a commercial establishment nor an industry. Its basic predominant intention is scientific research as envisaged by Council of Scientific and Industrial Research, New Delhi and the management is part and parcel of CSIR and is governed by rules, regulations and bye-laws of CSIR and Central Civil Services (Temporary services) Rules. The second party is not entitled to any relief sought for in the statement of claim on the ground of contravention of labour laws and the reference should be rejected.

4. (a) In Ref. (ITC) No. 7 of 1990 the second party has produced following documents vide list Ex. 15.

1. Seniority list of Lower Division Clerks as on 31-3-1987.
2. Letter dtd. 20-7-1987 written to Employment Officer, Bhavnagar.
3. Reply to the letter dtd. 20-7-1987 from Employment Officer, Bhavnagar. (Xerox copy).

5. (a) The first party management has produced following documents vide Ex. 9.

1. Xerox copy of appointment letter dtd. 5-9-85 No. 3(17)/B/Estt. 80/13855 issued to workmen (Ex. 19).

2. Xerox copy of joining report dt. 9-9-85 given by workmen to the first party.

3. Xerox copy of office Memo No. 1(815)/85-AK/23260 dtd. 23-1-87 showing relieving order with reason etc. (original).

4. Xerox copy of Office Memo dtd. 19-9-85.

5. Regd. A.D. cover which came back.

6. Original cover dtd. 24-1-87 came back with the remark 'Not found'.

7. Xerox copy of letter dtd. 9-9-87 written by Adm. Officer.

8. Xerox copy of letter dt. 9-2-87 written by A.O. to workmen.

9. Original cover dtd. 9-2-87.

10. Xerox copy of written statement filed before A.L.C. (C) Adipur (Kutch) on 29-9-89.

4. (b) In Ref. (ITC) No. 8 of 1990 the second party has produced following documents vide list Ex. 16.

1. Seniority list of Lower Division Clerks as on 31-3-1987.

2. Letter dtd. 20-2-1987 written to Employment Officer, Bhavnagar.

3. Reply to the letter dtd. 20-7-1987 from Employment Officer, Bhavnagar (Xerox copy).

5. (a) The first party management has produced following :

1. A xerox copy of the order given by the Central Adm. Tribunal, Hyderabad Bench in O.A. No. 22/1987 dtd. 14-2-1990.

2. Notification issued by Govt. of India dtd. 21-10-86 as stated in item No. 1.

4. (c) In Ref. (ITC) No. 9 of 1990 the second party has produced following documents vide list Ex. 16.

1. Letter dt. 16-4-80 of the second party (Ex. 32).

2. Receipt of letter at Ex. 32 (Ex. 33).

3. R. D. Case No. 63/87 dtd. 15-3-88 (Ex. 27).

4. Stay appln. & order in case No. 63/87 in Ex. 27 (Ex. 28).

5. Report dtd. 26-1-87 (Ex. 29).

6. R. D. Case No. 63/87 dtd. 15-3-88 (Ex. 30) and also examined the second party concerned workman on oath.

1909 GI/99—16.

5. (c) The first party management has produced following documents vide Ex. 9.

1. Xerox copy of appointment letter dtd. 5-9-95 No. 3(17)/B/Estt. 13845 issued to workmen (Ex. 21).

2. Xerox copy of joining report of workman dtd. 9-9-85 (Ex. 22).

3. Xerox copy of Office Memorandum dtd. 19-9-85.

4. Xerox copy of Office Memo. No. 1(813)/85-AK dtd. 23-1-87 (Ex. 34) showing relieving report.

5. Original RDAP slip with its slip (Ex. 35).

6. Original cover of 24-1-87 with its letter dtd. 24-1-87 returned with postal stamp.

7. Xerox copy of letter dtd. 9-9-87 written by Adm. Officer.

8. Xerox copy of letter dtd. 29-9-89 given before ALC, Adipur.

9. Xerox copy of letter dtd. 27-1-87 given before ILC, Adipur.

10. Letter written to Employment Exchange.

11. List of documents containing seniority list, CSIR's letters dtd. 10-1-83 & 10-10-86 alongwith DO letter.

12. Bye-laws, rules and regulations etc, of CSIR (Ex. 43).

13. Copy of p. 57 of outward register.

14. Letter to Office of the PF Commissioner dtd. 19-6-95 Ex. GI/1979/112/Actt/XIV/99.

15. Copy of Inward register pages 38, 39, 40 & 41.

16. Copy of outward register page No. 69-70 & 71-72 and also examined witness Chhaganlal Ranjibhai on oath at Ex. 44.

5. The second party has produced written arguments. Mr. Pathak, representative of the second party submitted in his arguments that the second workmen was selected after observing due process of selection and was appointed as LDCs and thereafter without following any due process of law his services were terminated from 23-1-1987 and the length of service of the second party workman are not in dispute and it is pertinent to note that the first party decided to terminate the service all of a sudden without waiting for completion of the month of January, 1987, and the terminations were under guise of non-requirement of service of the second party workman and the abolition of certain posts by CSIR, but the order stating these reasons are not communicated to the workmen and the management has chosen to pay notice pay instead of waiting for completion of notice period which shows the

ulterior motive of the first party and the Hon'ble Supreme Court has observed that the management should assign reason in the order of termination and if no reasons are assigned by the management then such termination should be considered as without any reason i.e. victimisation. This view is expressed in the case of AIR 1995 SC 1352 and the present case also is identical. It is further submitted in arguments that the date of termination is 23-1-1987 and thereafter 24, 25 & 26 of January were holidays for the first party management and on 28th the second party obtained stay from the Civil Court against the termination of service of the second party workmen, which was served by first party on 26-1-87 itself, but the termination orders were not served upon the second party workmen and therefore there is no question of implementing the termination order itself and the order is totally invalid and void abinitio. It is submitted that the first party had not made second time effort to get the order served upon the second party workman with demand draft and instead it cancelled the demand draft. It is further submitted that it is the case of the second party that due to demand of regularisation etc. the services of the second party workman are terminated and therefore it is clear that the first party management did not like the demand and terminated the services with a view to victimise them. It is submitted that in the appointment order not a single word is mentioned to show that the first party management is controlled by CSIR and therefore it could not be said that the decision or interference by CSIR will be binding to the second party workmen and the appointment orders were not communicated to the CSIR as the binding authority for the second party workman is only the first party management which is an autonomous body and therefore the ground of reduction of the number of LDCs stated by the first party is vague, frivolous and without any substance. It is submitted that any policy of reviewing the cadre of development and improvement in the promotional aspect, no single word is mentioned for termination of service of the second party workmen i.e. L.D.Cs. but the first party management interpreting the twisting internal communication in the manner which cannot be believed and bye-laws of CSIR are not binding to the second party workmen and first party management. It is further submitted that the clause 3 of the appointment shows that the second party workmen confer any right of seniority or claim for regular absorption or for officiating appointment on the vacancy as LDC and therefore it is clear that the seniority of the second party workmen are not maintained as per the law along with similarly situated employees and therefore so-called-production of seniority list by the first party management is only paper arrangement. It is further submitted that the so-called order of termination in

which amount of retrenchment or compensation or the amount of notice pay is not mentioned at all is produced by the first party management, and therefore such exercise of powers by the first party management gives their arbitrary exercise of powers which amounts to victimisation; and further letter No. 994 dtd. 30-9-89 was demanded by the second party workman to be produced before the Tribunal in connection with the fresh recruitment by the first party management, but that letter addressed to the employment exchange office is not produced by the first party management and it is stated that is not available or is not within their knowledge. Therefore, adverse inference should be drawn against management that the management has deliberately suppressed material facts and record before this Tribunal and the submission of second party workman with regard to fresh recruitment should be believed as true and the second party workman have also made application u/s 25H of the I.D. Act for re-employment but was not replied and therefore from all these circumstances it is clear that after terminating the services of the second party workmen, fresh recruitment is made by the first party management and the management has violated the provisions of Section 25H of the I.D. Act by way of not giving any opportunity of re-employment to the second party workman. It is also submitted that it is mentioned that the standing orders have reasonably been issued, but no such standing orders approved by certifying officer are produced before the Tribunal. Hence the arguments were for the sake of arguments that such standing orders are produced then also they are produced subsequent to the appointment of the second party and such standing orders are for the CSIR and not for the first party management, but the first party management has just tried to misled the board and to twist the facts by way of mixing the question of two different institutions and the first party management has not given any details in which manner the first party management is controlled by CSIR. It is submitted that the second party workman has not received any notice pay or retrenchment compensation or any other legal dues and the first party management has failed to establish that payment was made to second party workman. Therefore there is clear violation of S. 25F of the I.D. Act and therefore action of the first party management in terminating the service of the second party workman are ex-facie illegal and inoperative in law. Therefore the second party workman should be reinstated and as per normal rule full back wages should be ordered.

6. The second party has cited 1987 I GLR 387, 1996 LAB IC 374 1982 II LLJ 191 1986 I LLJ 490, 1994 II LLJ 878, 1995 SCC & L S p.

7. The first party has also filed written arguments and submitted that the dispute is not industrial dispute as the first party is an industry and in view of bye-laws Ex. 43 at Central Civil Services (services) rules and order of Hon'ble Supreme Court, the case of Physical Research Laboratory vs. K. G. Sharma, Physical Research Laboratory is not industry and accordingly the first party is not industry and therefore the reference should be rejected and as the Tribunal has no jurisdiction to conduct the reference, and only Central Adm. Tribunal has jurisdiction. It is also submitted that without prejudice to this contention if it is held that this Tribunal has jurisdiction. Then also the action of the management does not amount to retrenchment and therefore there is no dispute and as per the appointment order the second party workmen were communicated with conditions stated in the appointment order and it was accepted by the concerned workman and according to it the appointment was clearly on ad-hoc basis and even $\frac{1}{2}$ yrs. service was not completed and therefore the workman were relieved. According to the condition mentioned in the appointment order and there is no retrenchment as per Section 2(oo) (bb) of the Act. It is stated further that in deposition the workman have admitted that the letter Ex. 34 was received by him in which the clear reason for relieving the workman is mentioned as cancellation of some posts by Council of Scientific and Industrial Research. Even though if the Industrial Tribunal comes to another decision then also the action of relieving the workman are not illegal as Sec. 25F is complied with and no violation of Section 25F, 25G or 25H is done as these provisions though not applicable to the first party, for seniority, retrenchment, compensation was to be paid to workman and the workman was intimated to collect the compensation, notice pay etc. on the same day between 2 p.m. to 4 p.m., but they went away without collecting it and this justification is admitted in deposition and thereafter on second day the same was sent in the form of bank draft by Regd. A.D. post, but was returned unserved. In view of the facts stated in civil suit in which all three relieved employees were plaintiffs, they have admitted that they had not accepted any termination order if at all there is any work, and it establishes that they were having knowledge that they are relieved from service and knowingly they did not accept registered post it clears the intention of the first party to pay the amount to each of these employees. It is submitted that nowhere the workmen have stated in record that the juniors to them are retained in service while these workmen are relieved and on the contrary it is mentioned that work is continuous, but the work performed by L.D.C. is at present being performed by Sr. L.D.C. and meanwhile no new appointment was made for the post. It is stated that Sec. 25G is also complied with, as

the seniority list was published, which was produced before the Tribunal and the workmen were relieved as per the seniority. In the deposition of the witness of the establishment it is made clear that afterwards nobody was appointed on these posts and therefore there is no question of Section 25H of the I. D. Act and the correspondence with employment office is only in respect of recruitment of technician and watchmen and it is separate category. It is also submitted that the judgement of Supreme Court is not applicable in the case of these workman and these employees were ad hoc and there is no question of any prejudice or victimisation, but this representation is afterthought and is not established by any evidence. It is also submitted that the demand of regularisation is also not established and therefore it is not significant in this case as it is admitted that the workmen were not made permanent and were not given any benefit of PF or group insurance and even regularisation was not demanded by the workmen. Therefore it is not in question. It is submitted that in fact post was abolished and therefore the workman was relieved and it is admitted in regular civil suit though the institution is of national level and under the control and supervision of Central Government and therefore though it is autonomous and it is set up under Article 12 and in evidence of the institution it is clear that it is under the control of CSIR and therefore also the policy framed by CSIR is applicable and there is no substance in the arguments of second party in this respect. The documents as per the direction of the Tribunal were produced before the Tribunal and therefore there is no substance in respect of adverse inference on this ground of non-production of documents. It is also submitted that the citation produced by the second party are not relevant in this matter and the workmen are not entitled as per the principle established in these judgements as they have already stated in deposition that they are in service and are earning wages, and back wages are not available on the ground that the procedure in reference is delayed at the instance of workmen and the institution is not responsible for this long delay and in view of all these reference should be rejected.

10. In view of pleadings and representation of the parties following issues arise for determination on merits.

1. Whether the first party proves that this Tribunal has no jurisdiction in this matter on the ground of applicability of Central Adm. Tribunal Act by the first party?

2. Whether the first party proves that this Tribunal has no jurisdiction on the ground that the first party is not 'industry'.

3. Whether the second party proves that the termination of the workmen is illegal, unjust and unfair?

4. Whether the first party proves that its action of relieving the workman on the ground of abolition of posts is correct and justified ?

5. Whether the first party is entitled for reinstatement with continuity and back wages ?

6. What order ?

My decision to the above are as under :

1. In negative.
2. In negative.
3. In affirmative.
4. In negative.

5. The second party is entitled to reinstatement without back wages and without continuity of service, but service has to be considered continuous for the purpose of pension and gratuity.

6. As per final order.

Reasons : The issues 1, 2 & 3 are issues of law and are interconnected; hence are discussed together. It is pertinent to note that Mr. Gandhi for the first party has produced notification declaring that the Adm. Tribunal Act, 1985 shall apply to Council of Scientific & Industrial Research being the society controlled by Government and has submitted that as the first party Central Salt and Marine Chemical Research Institute, Bhavnagar is controlled by the Council of Scientific and Industrial Research and, therefore, automatically, Adm. Tribunal Act, 1985 is applicable to the first party and hence the Adm. Tribunal only has jurisdiction to try the matter and Shri Gandhi has also produced one judgement of Central Adm. Tribunal, Hyderabad Bench passed against Council of Scientific and Industrial Research, New Delhi. Now it is pertinent to note that the Council of Scientific and Industrial Research may not be 'industry' as per the definition under Sec. 2(j) of the I.D. Act and the present first party may be in industry under the Industrial Disputes Act and in that case if the first party is covered under the definition of 'Industry' under the provisions of I.D. Act, then naturally this Tribunal has jurisdiction to try the dispute falling under the provisions of I.D. Act. Now, Mr. Gandhi relies upon the judgement of Hon'ble Supreme Court in the case of CSIR vs. M. V. Sastry, 1997 (3) LLM 721 and also the case of Physical Research Laboratory, Ahmedabad vs. K. G. Sharma decided on 8th April, 1997. In the case of Mr. Sastry it was not held that in the Industrial Dispute against CSIR, the Industrial Tribunal has no jurisdiction as it was a case of qualifying service. Now in the case of Physical Research Laboratory, Ahmedabad, the Hon'ble Supreme Court has held that Physical Research Laboratory is not an 'Industry' as it is performing only research work unlike Physical Research Laboratory. The present first party is

'Industry' and it does not perform only research work. It is pertinent to note that it carries on systematic activities of production, maintaining stock and selling it by tender and therefore it comes within the purview of definition of 'Industry' under the provision of I.D. Act, by virtue of judgement in Bangalore Water Supply's case. The witness of the first party has stated on oath in a cross-examination that in this establishment the salt : Alcoholic are produced and many other things are also produced and are being sold by tender. The exact words are as under :..

OTHER THAN HINDI & ENGLISH LANGUAGE

In these circumstances the Hon'ble Supreme Court's judgement in the case of Physical Research Laboratory is not relevant in case of the first party. It should be noted that only limited research activities may not be there in the definition of 'Industry', but once activities of production and sale start, establishment comes immediately within the definition of 'Industry' and therefore there is no force in the submission of Mr. Gandhi for the first party that this Tribunal has no jurisdiction.

7. Now other issues are issues of facts. It is admitted that the second party workman were offered job and selected vide letter of the first party dtd. 5-9-1985 vide No. 63854 and the workmen reported on 9-9-1985 and thereafter office memo No. 1 (813)/85-AE dtd. 19-9-1985 was issued. Now on perusal of letter dtd. 5-9-1985, it is clear that the workmen were offered job on the basis of competitive test held on 3rd August, 1985 and they had been selected. Now the question would be as to whether the postheld were adhoc or short term vacancy. The first party has not produced any documents in this respect and it is referred in the said letter only that the workmen are selected and these appointments are approved as LDCs (adhoc establishment). Now it is pertinent to note that the letter is in printed form and details are filed by typed version, but when thereafter, office memos are prepared, it do not express that it was adhoc appointment or adhoc post and it says that it was purely temporary basis, but, as per Government rules, 'temporary and ad hoc are not one and the same and if we hold that the workmen were temporary, the rules applicable to them will be different from the rules applicable to the workmen if he is on adhoc appointment. Now it is an admitted position that it is the stand of the first party that the first party had relieved the concerned workmen on 23-1-1985 on the ground of abolition of the posts. The first party has produced some documents in this regard vide list Ex. 24. These documents are not exhibited are referred to in the deposition of the

witness of the first party. They are being referred to here for the purpose of qualification. The letter No. 33/94 & 30/82 E.I. dtd. 10-1-83 is produced at mark 24/2, which sanctions some more posts of assistants by revised strength and approval to the creation and up-gradation of the posts of LDCs and UDCs. It was happened in 1983. It is pertinent to note that the workman was appointed thereafter on the post of LDC. Now letter mark 24/3 dtd. 1-10-1986 reveals promotion policy as the number of steps were being taken to streamline and modernise the administration of the CSIR and one step was to impart training to adm. staff and to upgrade the staff by promotions and it is stated in it that "it is requested that necessary action for promotion of eligible LDCs to the post of UDCs and UDCs, to the posts of assistants against 75% of the addl. posts of assistants may please be taken herein". It also instruct the first party to take necessary action for holding departmental objective examination to fill posts for the departmental quota of assistants in its laboratory/institute and after promotion the LDCs who may be found in excess of the revised strength may be shown against the post of assistants kept reserved for filling up through departmental examination. In this situation if employees were to be promoted to LDC and assistants from the post of LDCs, naturally there would be vacancies in the post of LDCs and in this letter there is no clear instruction to the first party to abolish certain posts by removing certain workmen working on those posts. It is the first party who interpret with this in such a way that it may have an excuse to remove the present workman from the service. If posts of LDCs are vacant, it is due to their promotions to the posts of UDCs, where is the question to discharge any workman, working on the posts of LDCs. It is pertinent to note that as the letter did indicate anything as to what should be done in respect of the workman already in job. Therefore there is no force in the argument for the first party and that there was a ground of abolition of post. Now it is clear that the workman was temporary as it is mentioned in office memo dtd. 19-9-85 No. 1 (813)/85-AE and it is also clear that the workman joined service 9-9-1985 and was in service upto 23-1-87 and the service was continuous. Therefore there is no dispute that the workman had completed more than 240 days in an year in service. Now this being the position if the workman was on temporary and the time was not stipulated upto which date he was to be and at which he was to be relieved.

Then again the action of the first party would not come within Section (bb) to Section 2(oo) of the I.D. Act. Mr. Manibhai Gandhi for the first party has tried to establish that as the service of the workman was adhoc, it would fall under explanation vide Section 2(oo) (bb) of the I.D. Act, but it we look on this explanation it is as under :

"(bb). The termination of the service of the workman as a result of non-renewal of the contract of employment between the employer and the workman concerned, on its expiry, or of such contract being terminated under stipulation in that behalf contained therein."

Now whether it was result of renewal of the contract of employment between the first party and second party ? No.

Whether the termination was on the expiry or of contract being terminated as a stipulation ? No.

Then the dispute between the first party and second party regarding termination would not fall under this Section.

On perusal of office memo referred to above, it is very clear that the appointment was not for any stipulated time mentioned in any contract and therefore naturally the dispute would not come out of the definition of retrenchment and therefore the provisions of conditions precedent under section 25F would apply. Now let us see whether these provisions are complied with. It is the say of the first party that the relieving order Ex. 34 was prepared and efforts were made to give this order to second party workman in which he was instructed to take all the benefits from cashier between 14 hrs to 16 hrs. from the date. But it is pertinent to note that the present address for correspondence was also asked for in the same letter. Now it is the say of the first party that the second party workman did not accept the order and do not called views from the cashier within time. At the same time it is pertinent to note that man who want to serve this order to the workman is not examined as witness in this matter to prove that the workman refused to accept the order. It is also pertinent to note that the amount of account is nowhere stated in order and thereafter it is said that the institution sent the order and amount by regd. post, on next date. It is also pertinent to note that in view of the envelope Ex. 35, the regd. post was returned unserved bearing endorsement unclaimed. If we read this together with instruction to furnish the present address of correspondence if the institution had not knowledge of address, naturally the cover was to be returned unclaimed. So it is difficult to held that the institution made bonafide efforts

to pay all the benefits, then retrenchment compensation notice pay etc. to concerned workman for the purpose of complying with the provisions of Section 25F. Secondly as per provisions of I.D. Act, the principle "last come first go" would apply in this situation and for the purpose of prior seniority, list under rule 77 of the I.D. Act is mandatory and on perusal of record, it is found that it is doubtful as to whether, the seniority list was prepared at the relevant time. The first party has produced the seniority list of lower division clerks at mark 19/1, though was not admitted by the second party and was not proved by the first party, but this last is referred in deposition. It is referred to here also for the purpose of qualification of the situation. The seniority list mark 19/1 produced on 26-2-92 which said to be setting seniority of LDCs as on 31-3-1987 and it does not include the name of the second party workman. Its office copy appears the date 17-1-1992 under the signature. Now if we look at another seniority list mark 24/1 produced on 21-3-93 i.e. after about one year and it includes list of LDCs. at atrikey establishment basis as it is said and position as on 23-1-1987. Now the question is as to how the second party workman was excluded in seniority list prepared as on 31-3-1987, when he was on duty at that time and as to how it is included in second seniority list. So it is prepared on afterthought. Even the deposition in respect of seniority list is contradictory. The witness of the first party on Ex. 44 said on oath in cross-examination as under:

OTHER THAN HINDI & ENGLISH LANGUAGE

This deposition is false in this respect that the seniority list was put before on week of discharge, as the seniority was stated as on 23-1-1987 and naturally it cannot be prepared before that date and it is stated further that it was another seniority list. As we look at the earlier list there was no names of any ad hoc employee in that list. Therefore it is difficult to believe that the seniority list was kept regularly in the establishment including the names of second party workmen who were said to be on adhoc post and therefore naturally it is difficult to hold that the principle last come first go was followed in case of retrenchment of these workmen. Now it is also an admitted position that the technicians were recruited afterwards and at that time though the workmen had applied they were not called and it is also pertinent to note that it is the say of the second party that the management had correspondence with employment officer for fresh recruitments vide letter No. 994 of 30-9-1969 and the management produced the letter to employment officer dtd. 20th July, 1967 and the adverse inference should be drawn that it contained the request to send the names of fresh recruits on the posts and this being the situation the management should have called for the second party workman first in case of requirement of any recruitment. In view of this situation the contravention of provisions of Section 25F, 25G and 25H are established by cogent evidence and therefore the

second party workmen are entitled to relief of reinstatement in these references. Now it is admitted in deposition of second party workmen that they are in employment and have earned particular amount. Hence there is no question of granting any back wages to the concerned workman and only reinstatement with continuity of service for the purpose of pension and gratuity should be granted. In view of the above discussion I pass the following order.

ORDER

The references are partly allowed. The first party is hereby directed to reinstate the concerned workman on their original post without back wages without continuity of service and it is further directed that the service of the concerned workmen are to be considered continuous for the purpose of pension and gratuity with no order as to cost. This award is to be implemented within one month from the publication of this Award. It is directed that copies of this award should be placed in all these three references.

P.R. DAVE, Presiding Officer

नई दिल्ली, 16 जून, 1999

का.आ. 1981 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स बी सी सी एल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, सं. -2, धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-6-99 को प्राप्त हुआ था।

[सं. एल-20012/(164)/87-डी-III(ए)]

वी.एस.एस. पी. राजू, डेस्क अधिकारी

New Delhi, the 16th June, 1999

S.O. 1981.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. B.C.C. Ltd. and their workman, which was received by the Central Government on 15-6-1999.

[No. L-20012/(164)/87-D-III(A)]

V. S. A. S. P. RAJU, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (NO. 2) AT
DHANBAD

PRESENT :

Shri B. B. Chatterjee, Presiding Officer.

In the matter of an Industrial Dispute under Section, 10(1)(d) of the I.D. Act, 1947.

Reference No. 313 of 1987

PARTIES :

Employers in relation to the management of Muraidih Colliery of M/s. BCCL and their workmen.

APPEARANCES :

On behalf of the workmen : None.
On behalf of the employers : None.

STATE : Bihar INDUSTRY : Coal
Dated, Dhanbad, the 7th June, 1999

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012(164)/87-D. III(A), dated, the 21st December, 1987.

SCHEDULE

"Whether the action of the management of Barora Unit of Muraidih Colliery of M/s. Bharat Coking Coal Ltd., P.O. Nawagarh, Dt. Dhanbad in dismissing Shri Arjun Bhuiya, Underground Miner Loader from service w.e.f. 22-11-1986 is justified? If not, to what relief the workman is entitled?"

2. It reveals from the record of this reference that only the workman side appeared and filed his W.S. but subsequently both the management and the workman side abstained from appearing before this Tribunal and taking any steps. The reference is pending since later part of 1987 and it is of no use to drag the same any more for taking further steps by the parties. Under such circumstances, a 'No dispute' Award is being rendered and the reference is disposed of on 'No dispute' Award basis on the presumption of non-existence of any industrial dispute between the parties at present.

B. B. CHATTERJEE, Presiding Officer

नई दिल्ली, 16 जून, 1999

का.आ. 1982 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मंसर्स बी सी सी एल के प्रबंधन के संबंध नियो-जकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, सं. 2, धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-6-99 को प्राप्त हुआ था।

[सं. एल-20012/292/92-आई.आर. (सी-1)]
जी.एस.ए.एस.पी. राजू, डेस्क अधिकारी

New Delhi, the 16th June, 1999

S.O. 1982.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Dhanbad as shown in the annexure in the Industrial dispute between the employers in relation to the management of M/s. BCC Ltd. and their workman, which was received by the Central Government on 15-6-1999.

[No. L-20012/292/92-IR(C-I)]

V. S. A. S. P. RAJU, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (NO. 2) AT
DHANBAD

PRESENT :

Shri B. B. Chatterjee, Presiding Officer.

In the matter of an Industrial Dispute under Section
10(1)(d) of the I.D. Act, 1947.

Reference No. 15 of 1994

PARTIES :

Employers in relation to the management of Amlabad Colliery of M/s. B.C.C. Ltd. and their workmen.

APPEARANCES :

On behalf of the workmen : None.
On behalf of the employers : None.

STATE : Bihar INDUSTRY : Coal
Dated, Dhanbad, the 7th June, 1999

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/292/92-IR.(Coal-I), dated, the 20th December, 1993.

SCHEDULE

"Whether the action of the management of Amlabad Colliery of M/s. BCCL is not paying wages of Cat. VI as Loader in favour of Shri Dasrath Lohar, w.e.f. 12-5-87 is justified? If not, what relief should be granted?"

2. In this reference none of the parties turned up nor took any steps inspite of the issuance of notices to them again and again leading to an inference of non-existence of any industrial dispute between the parties. Under such circumstances a

'No dispute' Award is being rendered and the reference is disposed of on 'No dispute' Award basis on the presumption of non-existence of any industrial dispute between the parties.

B. B. CHATTERJEE, Presiding Officer

नई दिल्ली, 16 जून, 1999

का.आ. 1983.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स बी.सी.सी.एल. के प्रबंधन के संबंध में निोजकों और उनके कर्मचारियों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, सं.-2, धनबाद के पंचाद को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-6-99 को प्राप्त हुआ था।

[सं. एल-20012/(352)/90-आई.आर. (सी-I)]
वी.एस.ए.एस.पी. राजू, डेस्क अधिकारी

New Delhi, the 16th June, 1999

S.O. 1983.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. BCC Ltd. and their workman, which was received by the Central Government on 15-6-1999.

[No. L-20012(352)/90-IR (C-I)]
V. S. A. S. P. RAJU, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (NO. 2) AT
DHANBAD

PRESENT :

Shri B. B. Chatterjee, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947.

Reference No. 91 of 1991

PARTIES :

Employers in relation to the management of
Kankanee Colliery of M/s. BCCL and
their workmen.

APPEARANCES :

On behalf of the workmen : None.

On behalf of the employers : None.

STATE : Bihar

INDUSTRY : Coal

Dated, Dhanbad, the 8th June, 1999

AWARD

The Government of India, Ministry of Labour,
in exercise of the powers conferred on them under

Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012(352)/90-IR. (Coal-I), dated, the 11th April, 1991.

SCHEDULE

"Whether the action of the management of Kankanee Colliery under Sijua Area of M/s. BCCL, in not giving employment to Shri. Shiv Ram Prasad as per memorandum of Settlement dt. 16-10-84 is justified? If not, what relief the workman is entitled to?"

2. In this reference only the workman side appeared and filed his W.S. thereafter both the parties abstained from appearing before this Tribunal and taking any steps in spite of the issuance of notices to them again and again leading to an inference of non-existence of any industrial dispute between the parties. Under such circumstances, a 'No dispute' Award is being rendered and the reference is disposed of on 'No dispute' Award basis on the presumption of non-existence of any industrial dispute between the parties at present.

B. B. CHATTERJEE, Presiding Officer

नई दिल्ली, 16 जून, 1999

का.आ. 1984.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स बी.सी.सी.एल. के प्रबंधन के संबंध में निोजकों और उनके कर्मचारियों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, सं.-2, धनबाद के पंचाद को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-6-99 को प्राप्त हुआ था।

[सं. एल-20012/418/94-आई.आर. (सी-I)]
वी.एस.ए.एस.पी. राजू, डेस्क अधिकारी

New Delhi, the 16th June, 1999

S.O. 1984.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. BCC Ltd. and their workman, which was received by the Central Government on 15-6-1999.

[No. L-20012/418/94-IR(C-I)]
V. S. A. S. P. RAJU, Desk Officer

ANNEXURE

In the matter of a reference under Sec. 10(1)(d)
(2-A) of the Industrial Disputes Act, 1947.

Reference No. 132 of 1995

Employers in relation to the management of Katras
Area of M/s. B.C.C. Ltd.

AND

Their Workmen.

PRESENT:

Shri. B. B. Chattarjee, Presiding Officer.

APPEARANCES:

For the Employers : Shri H. Nath, Advocate.

For the Workmen : Shri S. Bose, Treasurer,
Rashtriya Colliery Mazdoor Sangh.

STATE : Bihar INDUSTRY : Coal

Dated: the 8th June, 1999

AWARD.

By Order No. L-20012/418/94-I.R.(Coal-1) dated 10-10-95 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of Salanpur Colliery under Katras Area of M/s. BCCL, in dismissing Shri Naki Khan—Ex-Security Guard w.e.f. 3-5-93 is justified? If not, to what relief Shri Khan is entitled?"

2. The workman side has made out a case in the written statement to the effect that the concerned workman Naki Khan was a permanent employee of Salanpur Colliery under Katras Area of BCCL in the capacity of Night Guard.

3. The management issued a charge-sheet dated 17-3-93 under the signature of Project Officer, Salanpur Colliery against the concerned workman. The workman submitted reply to the charge-sheet denying the allegations mentioned in that charge-sheet but the management arranged a departmental enquiry, which was in fact a show of enquiry against the principles of natural justice and ultimately dismissed the concerned workman from service by letter dated 30-4/3-5-93. The dismissal letter as well as the charge-sheet were not issued by appropriate authority, as the concerned workman was serving as Night Guard under the control of Security Department of M/s. B.C.C. Ltd.

4. That the Security Department never investigated the matter mentioned in the charge-sheet after issuance of the same and till the dismissal of the concerned workman. The workman was also not given the opportunity to show cause against the order of dismissal and the action of the management is thus arbitrary, illegal and can not be justified. The workman side has therefore prayed for a finding to the effect that the action of the management of Salanpur Colliery under Katras Area of M/s. B.C.C. Ltd. in dismissing the workman Naki Khan with effect from 3-5-93 is not justified.

5. The workman has prayed for an order to the effect that the workman should be reinstated with full back wages till he is allowed to resume the duty of Night Guard and also for an order for payment of cost etc.

6. The management side has also submitted written statement on their side as well as rejoinder as against the written statement of the workman side wherein the management has claimed that the present reference is not maintainable either under the law or on facts.

7. The case of the management is that the sponsoring union raised an industrial dispute over dismissal of Naki Khan before the A.L.C.(C), Dhanbad by their letter dated 9-7-93. The management of receipt of notice from the A.L.C.(C), Dhanbad the Dy. Chief Personnel Manager by letter dated 6-9-93 explained the facts by submitting that the workman Naki Khan while serving as Night Guard was dismissed from service by letter No. SP/PD/93/1316 dated 30-4/3-5-93 after due enquiry who was charge-sheeted for committing theft of 2 No. of batteries while on duty on 16-3-93. The workman submitted reply to that charge-sheet but the same was found not satisfactory and the management decided to hold an enquiry into the charge-sheet. Shri S. P. N. Singh, the then Sr. Personnel Officer was appointed Enquiry Officer to conduct the enquiry. The Officer conducted the enquiry on different date giving full opportunity to the workman to cross-examine the witnesses on the side of the management and opportunity to adduce evidence in his defence. The enquiry was concluded on 15-4-93. The Enquiry Officer found the concerned workman to be guilty of the charge and submitted his report. The report was given due consideration and in view of the seriousness of the charge the workman was dismissed by letter No. SP/PD/93/1376 dated 30-4/3-5-93.

8. The action of the management in dismissing the concerned workman is fully justified because of seriousness of the charge and any other punishment by taking lenient view would tantamount to encouragement to other employees for committing similar acts or offence. The punishment was just, proper and necessary in the interest of the Company.

9. In respect of the contents of different paras of the written statement of the workman side the say of the management in the rejoinder in respect of para 1 is that the same are terms of reference and in respect of paras 2 to 4, 7, 8 and 9 the management abstained from making any comments as those were matters of record.

10. In respect of the contents of paras 5 and 6 of the written statement the say of the management that those are baseless and false and therefore denied. The enquiry was conducted according to the principles of natural justice by affording all sorts of opportunity to the workman for which the workman side never raised any objection relating to the procedure etc. in course of the enquiry.

11. The contents of para 10 of the written statement are also baseless and false and therefore denied. The action of the management was neither arbitrary nor illegal.

12. The management, in view of aforesaid facts and circumstances, has prayed for an award in their favour holding that the concerned workman is not entitled to any relief.

13. The workman side also submitted a rejoinder as against the written statement of the management giving para-wise comment and in doing so the workman side has abstained from making any comment in respect of the contents of para of the written statement being reproduction of the order of reference.

14. In respect of the contents of para 2 of the written statement the say of the workman side is that those are vague and therefore not admitted.

15. The statements made in para 3 of the written statement are not wholly correct.

16. The statements made in para 4 are not admitted although the management issued a charge-sheet against the concerned workman but the management did not conduct any preliminary enquiry on receipt of the reply of the workman to that charge-sheet and straight way set up a departmental enquiry by Sr. Personnel Officer and on receipt of his report dismissed the workman.

17. The statements made in para 5 are also not admitted as the management violated established principles of law by way of depriving the concerned workman to appeal before higher authorities of the management to his utter prejudice and has prayed for an award once again in terms of his prayer in the written statement.

18. The point for decision is whether the concerned workman is entitled to an order for reinstatement with full back wages and other emoluments upon a finding that the action of the management of Salanpur Colliery under Katras Area of

M/s. B.C.C. Ltd. in dismissing Shri Naki Khan Ex-Security Guard w.e.f. 3-5-93 is not justified.

Decision and Reasons :

19. The reference was initially fixed for hearing on preliminary point in connection with propriety and fairness of the domestic enquiry held against the concerned workman. But ultimately on the date of hearing of preliminary point the same having been conceded on the side of the workman. The preliminary point was decided in favour of the management by holding that the domestic enquiry held against the concerned workman was fair and proper by order dated 20-7-98. During hearing on merit the parties abstained from adducing any oral evidence and submitted written arguments on the respective sides. The only point that has been raised in the written argument on the side of the workman is that though the domestic enquiry conducted against the concerned workman was fair and proper but since he was dismissed from service without furnishing him a copy of the report of enquiry and thereby without giving him chance of being heard by the appropriate authority before issuing the letter of dismissal the same is not only prejudicial to the concerned workman but illegal too and in view of the decision of Hon'ble Supreme Court reported in 1991 (I) LLJ-29 such order of dismissal is liable to be set aside. The submission on the workman side was accordingly that an order in terms of the prayer of the workman in the written statement for his reinstatement with full back wages should be passed. On the other hand, the management by the written argument by relying on a decision of Hon'ble Madras High Court reported in 1997 (II) LLJ-1229 submitted that in case if any order for reinstatement of the concerned workman is passed that will amount to rewarding a dishonest and guilty worker and at the same time it was verbally submitted that the copy of the enquiry report may be furnished to the delinquent concerned workman if so directed by this Tribunal. Naturally the submission of the learned Advocate on the side of the management is that no order in terms of prayer of the concerned workman should be passed in this reference and the same should be answered in favour of the management justifying their action of dismissal of the concerned workman from his service. The decision relied upon on the side of the concerned workman, as I find on perusal, is in respect of protection under Article 311 of Constitution of India to a public servant. There is nothing in the written argument on the side of the workman to the effect if the concerned workman was a public servant for the purpose of getting constitutional protection under Article 311 and in the absence of any such submission in the written argument although the copy of the enquiry report was not furnished to the concerned workman before passing final order of dismissal the same,

to my mind, can not be treated as illegal. In the absence of any evidence that by such omission of the management prejudice was caused to the concerned workman. The decision of the Hon'ble Supreme Court relied upon on the side of the workman is therefore of no help to the workman in the instant reference. On the other hand, in the decision relied upon on the side of the management of Hon'ble Madras High Court that non-furnishing of the report to the delinquent could have made any difference and no prejudice could have been caused on account of non-furnishing of the enquiry report in some cases and the present reference can easily be treated as such a case in which the concerned workman was searched with the offence of theft of 2 Nos. of batteries and in such nature of case if any order for reinstatement of a workman like this reference is passed and ordered to be reinstated that

would amount to rewarding dishonest and guilty worker. Thus, considering all these facts and circumstances of the case the written argument submitted by the respective parties and the verbal submissions I can not but hold that the concerned workman is not entitled to an order for his reinstatement with any back wages.

20. The action of the management of Salanpur Colliery under Katras Area of M/s. B.C.C. Ltd. in dismissing Naki Khan, Ex-Security Guard with effect from 2-5-1993 is quite justified. The point of reference is thus disposed of and an award is being rendered accordingly.

There will be no order as to cost.

B. B. CHATTERJEE, Presiding Officer

